

# SUMMARY OF LAWS RELATED TO SOCIAL WORK PRACTICE

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<b>LAWS FOR SOCIAL WORK</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
RA 4373	“Social Work Law”	Approved: June 19, 1965	An Act to Regulate the Practice of Social Work and the Social Work Agencies in the Philippines  - Defined Social Work, Social Work Agency and the Qualifications for Board of Social Work, Term of Office, Registration of SW Agencies and Disqualification of SW’s
RA 5175 (amendment ↑)		Approved: August 4, 1967	- Amended the Qualification of Board of Examiners from BS to MS
RA 10847 (amendment ↑↑)		Approved: May 23, 2016	An act lowering the age requirement for applicants taking the Board examination for social workers, providing for continuing Social work education, and upgrading the sundry provisions relative to the practice of social work  - SW applicant should be at least eighteen (18) years of age before was 21 years of age
RA 9433	“Magna Carta for Public Social Workers”	Approved: November 7, 2007	- On Call Status- refers to a condition where public social workers are called upon to respond to an urgent or crisis situation or immediate need or relief work during emergencies such that they cannot devote the time for their own use  - Rights of Public SW

<b>LAWS FOR WELFARE ADMINISTRATION</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
RA 5416	“Social Welfare Act of 1968”	Approved: June 15, 1968	An Act Creating a Department of Social Welfare  - Created a Department of Social Welfare, hereafter referred to as the Department  - Secretary and 2 undersecretaries should be appointed by the Pres.  - Undersecretaries should be Masters Degree  - 5 Bureaus (Family, Child and Youth, Vocational Rehabilitation, Field Services, Training, Research and Special Projects  - The special projects will include the Central Institute for Training and Relocation of Urban Squatters (CITRUS); disaster and emergency relief services
RA 7160	“Local Government Code of 1991”	Approved: October 10, 1991	- Decentralization  - Creation and Conversion of LGU based on income, population and land area

		Effectivity Date: January 1, 1992	<ul style="list-style-type: none"> <li>- Naming of LGUs, Public places and streets in consultation with the Philippine Historical Commission (PHC)</li> <li>- Change of name not less than 10 years</li> <li>- Qualifications for local officials: <ul style="list-style-type: none"> <li>a) Governor/VGov- 23 years old</li> <li>b) Mayor/VMyor- 21 years old</li> <li>c) Sangguniang Panglunsod-18 years old</li> </ul> </li> <li>- Term of office is 3 years; not more than 3 consecutive terms</li> </ul>
EO 15	Redirecting the Functions and Operations of the DSWD	Signed on: August 20, 1998	- DSWD, has been transformed from a direct service deliverer to a technical assistance provider as a result of the devolution of basic services to the local government units

LAWS FOR SENIOR CITIZEN / ELDERLY			
NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
RA 7432	"The Senior Citizens Act"	Approved: April 23, 1992	<p>An Act Maximizing the Contribution of Senior Citizens to Nation Building</p> <p><i>Section 2 – Definition of Terms.</i></p> <ul style="list-style-type: none"> <li>- As used in this Act, the term "senior citizen" shall mean any resident citizen of the Philippines at least sixty (60) years old, including those who have retired from both government offices and private enterprises, and has an income of not more than Sixty thousand pesos (P60,000.00) per annum subject to review by the National Economic and Development Authority (NEDA) every three (3) years.</li> <li>- The term "<i>benefactor</i>" shall mean any person whether related to the senior citizens or not who takes care of him/her as a dependent.</li> <li>- The term "<i>head of the family</i>" shall mean any person so defined in the National Internal Revenue Code</li> </ul> <p><i>Section 3 – Contribution to the Community.</i></p> <ul style="list-style-type: none"> <li>- Any qualified senior citizen as determined by the Office for Senior Citizen Affairs (OSCA) may render his/her services to the community which shall consist of, but not limited to, any of the following: <ul style="list-style-type: none"> <li>a) tutorial and/or consultancy services;</li> <li>b) actual teaching and demonstration of hobbies and income generating skills;</li> <li>c) lectures on specialized fields like agriculture, health, environmental protection and the like;</li> <li>d) the transfer of new skills acquired by virtue of their training mentioned in Sec. 4, paragraph d;</li> <li>e) undertaking other appropriate services as determined by the Office of Senior Citizens Affairs (OSCA) such as school traffic guide, tourist aid, pre-school assistant, etc.</li> </ul> </li> </ul> <p>*In consideration of the services rendered by the qualified elderly, the Office for Senior Citizens Affairs (OSCA)</p>

may award or grant benefits or privileges to the elderly, in addition to the other privileges provided for under Section 4 hereof.

*Section 4 – Privileges for the Senior Citizens.*

- a) the grant of twenty percent (20%) discount from all establishments relative to utilization of transportation services, hotels and similar lodging establishment, restaurants and recreation centers and purchase of medicine anywhere in the country: Provided, That private establishments may claim the cost as tax credit;
- b) a minimum of twenty percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals and other similar places of culture, leisure, and amusement;
- c) exemption from the payment of individual income taxes: Provided, That their annual taxable income does not exceed the property level as determined by the National Economic and Development Authority (NEDA) for that year;
- d) exemption from training fees for socioeconomic programs undertaken by the OSCA as part of its work;
- e) free medical and dental services in government establishment anywhere in the country, subject to guidelines to be issued by the Department of Health, the Government Service Insurance System and the Social Security System;
- f) to the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS) and PAG-IBIG, as the case may be, as are enjoyed by those in actual service.

*Section 5 – Government Assistance.*

- a) The senior shall be treated as dependents provided for in the National Internal Revenue Code and as such, individual taxpayers caring for them, be they relatives or not shall be accorded the privileges granted by the Code insofar as having dependents are concerned.
- b) Individuals or non-governmental institutions establishing homes, residential communities or retirement villages solely for the senior citizens shall be accorded the following:
  - 1 realty tax holiday for the first five (5) years starting from the first year of operation;
  - 2 priority in the building and/or maintenance of provincial or municipal roads leading to the aforesaid home, residential community or retirement village.

*Section 6 – Retirement Benefits.*

- To the extent practicable and feasible, retirement benefits from both the Government and the private sectors shall be upgraded to be at par with the current scale enjoyed by those in actual service.

*Section 7 – The Office for Senior Citizens Affairs (OSCA).*

- There shall be established in the Office of the Mayor an OSCA to be headed by a Councilor who shall be designated by the Sangguniang Bayan and assisted by the Community Development Officer in coordination with

			<p>the Department of Social Welfare and Development. The functions of this office are:</p> <ol style="list-style-type: none"> <li>a) to plan, implement and monitor yearly work programs in pursuance of the objectives of this Act;</li> <li>b) to draw up a list of available and required services which can be provided by the senior citizens;</li> <li>c) to maintain and regularly update on a quarterly basis the list of senior citizens and to issue nationally uniform individual identification cards which shall be valid anywhere in the country;</li> <li>d) to service as a general information and liaison center to serve the needs of the senior citizens</li> </ol>
RA 9257 (amendment ↑)	“Expanded Senior Citizens Act of 2003”	Approved: February 26, 2004	<p>An Act Granting Additional Benefits and Privileges to Senior Citizens</p> <p><i>Section 1 – Declaration of Policies and Objectives.</i></p> <ul style="list-style-type: none"> <li>- Pursuant to Article XV, Section 4 of the Constitution, it is the duty of the family to take care of its elderly members while the State may design programs of social security for them.</li> <li>- In addition to this, Section 10 in the Declaration of Principles and State Policies provides: "The State shall provide social justice in all phases of national development."</li> <li>- Further, Article XIII, Section 11 provides: "The State shall adopt an integrated and comprehensive approach to health and other social services available to all the people at affordable cost. There shall be priority for the needs of the under privileged, sick, elderly, disabled, women and children."</li> </ul> <p><i>Section 2 – Definition of Terms.</i></p> <ol style="list-style-type: none"> <li>a) "Geriatrics" shall refer to the branch of medical science devoted to the study of the biological and physical changes and the diseases of old age."</li> </ol> <p><i>Section 4 – Privileges for the Senior Citizens.</i></p> <ul style="list-style-type: none"> <li>- The senior citizens shall be entitled to the following:</li> </ul> <ol style="list-style-type: none"> <li>a) free medical and dental service, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the Department of Health in coordination with the Philippine Health Insurance Corporation (PHILHEALTH);</li> <li>b) the grant of twenty percent (20%) discount on medical and dental services, and diagnostic and laboratory fees provided under Section 4 (e) hereof, including professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the Department of Health, in coordination with the Philippine Health Insurance Corporation;</li> <li>c) the grant of twenty percent (20%) discount in fare for domestic air and sea travel for the exclusive use or enjoyment of senior citizens;</li> <li>d) the grant of twenty percent (20%) discount in public railways, skyways and bus fare for the exclusive use and enjoyment of senior citizens;</li> <li>e) educational assistance to senior citizens to pursue post secondary, tertiary, post tertiary, as well as vocational or technical education in both public and private schools through provision of scholarship,</li> </ol>

			<p>grants, financial aid subsidies and other incentives to qualified senior citizens, including support for books, learning materials, and uniform allowance, to the extent feasible: Provided, That senior citizens shall meet minimum admission requirement;</p> <p>f) to the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS) and PAG-IBIG, as the case may be, as are enjoyed by those in actual service.</p> <p>g) retirement benefits of retirees from both the government and private sector shall be regularly reviewed to ensure their continuing responsiveness and sustainability, and to the extent practicable and feasible, shall be upgraded to be at par with the current scale enjoyed by those in actual service.</p> <p>h) to the extent possible, the government may grant special discounts in special programs for senior citizens on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and</p> <p>i) provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them.</p> <p>*In the availment of the privileges mentioned above, the senior citizen or elderly person may submit as proof of his/her entitlement thereto any of the following:</p> <ol style="list-style-type: none"> <li>1 an ID issued by the city or municipal mayor or of the barangay captain of the place where the senior citizen or the elderly resides;</li> <li>2 the passport of the elderly person or senior citizen concerned; and</li> <li>3 other documents that establish that the senior citizen or elderly person is a citizen of the Republic and is at least sixty (60) years of age.</li> </ol> <p>*The establishment may claim the discounts granted under (a), (f), (g) and (h) as tax deduction based on the net cost of the goods sold or services rendered: Provided That the cost of the discount shall be allowed as deduction from gross income for the same taxable year that the discount is granted. Provided, further, That the total amount of the claimed tax deduction net of value added tax if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code, as amended."</p> <p><i>Section 5 – Government Assistance.</i></p> <p>- The Government shall provided the following:</p> <p>a) Employment</p> <p>- Senior citizens who have the capacity and desire to work, or be re-employed, shall be provided information and matching services to enable them to be productive members of society. Terms of employments shall conform with the provisions of the labor code, as amended, and other laws, rules and regulations.</p> <p>- Private entities that will employ senior citizens as employees upon effectivity of this Act, shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to senior citizens subject to the provision of Section 34 of the National Internal Revenue</p>
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			<p>Code, as amended: Provided, however, That such employment shall continue for a period of at least six (6) months: Provider, further, that the annual income of a senior citizen does not exceed he poverty level as determined by the National Economic and Development Authority (NEDA) for that year.</p> <p>- The Department of Labor and Employment (DOLE), in coordination with other government agencies such as, but not limited to, the Technology and Livelihood Resource Center (TLRC) and the Department and Trade and Industry (DTI), shall assess, design and implement training programs that will provide skills and welfare or livelihood support for senior citizens.</p> <p>b) Education</p> <p>- The Department of Education (DepEd), Technical Education and Skill Development Authority (TESDA) and the Commission and Higher Education (CHED), in consultation of non-government organizations (NGOs) and people's organizations (Pos) for senior citizen, shall institute a program that will ensure access to formal and non-formal education.</p> <p>c) Health</p> <p>- The Department of Health (DOH), in coordination with local government units (LGUs), non-government organizations (NGOs) and people's organizations (Pos) for senior citizens, shall institute a national health program and shall provide an integrated health service for senior citizens. It shall train community-based health workers among senior citizens and health personnel to specialize in the geriatric care health problems of senior citizens.</p> <p>d) Social Services</p> <p>- The Department of Social Welfare and Development (DSWD), in cooperation with the Office for Senior Citizen affairs (OSCA) and the local government units, non-government organizations and peoples organizations for senior citizens, shall develop and implement programs on social services for senior citizens, the components of which are:</p> <ol style="list-style-type: none"> <li>1 self and social enhancement services" which provide senior citizens opportunities for socializing, organizing, creative expression, and improvement of self;</li> <li>2 after care and follow-up services" which provide senior citizen who are discharged from the home/institutions for the aged, especially those who have problems of reintegration with family and community, wherein both the senior citizens and their families are provided with counseling;</li> <li>3 neighborhood support services: wherein the community/family members provide care giving services to their frail, sick, or bedridden senior citizens; and</li> <li>4 substitute family care" in the form of residential care/group homes for the abandoned, neglected, unattached or homeless senior citizens and those incapables of self-care. The grant of at least fifty percent (50%) discount for the consumption of electricity, water and telephone by the senior citizens center and residential care/group homes that are non-stock, non-profit domestic corporation organized and operated exclusively for the purpose of promoting of well-being of abandoned, neglected, unattached, or homeless senior citizens.</li> </ol> <p>e) Housing - The national government shall include in its national shelter program the special housing needs</p>
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			<p>of senior citizens, such as establishment of housing units for the elderly;</p> <p>f) Access to Public Transport - The Department of Transportation and Communication (DOTC) shall develop a program to assist senior citizens to fully gain access in the use of public transport facilities.</p> <p><i>Section 6 – The Office for Senior Citizens Affairs (OSCA).</i></p> <p>- There shall be established in all cities and municipalities an OSCA to be headed by a senior citizen who shall be appointed by the mayor for a term of three (3) years without reappointment from a list of three (3) nominees of the sangguniang panlungsod or the sangguniang bayan. The head of the OSCA shall be assisted by the City Social Welfare and Development Officer or the municipal social welfare and development officer, in coordination with the Social Welfare and Development Office.</p> <p>- The Office of the Mayor shall exercise supervision over the OSCA relative to their plans, activities and programs for senior citizens. The OSCA shall work together and establish linkages with accredited NGOs, Pos, and the barangays in their respective areas.</p> <p>- The office for senior citizens affairs shall have the following functions:</p> <p>a) To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to senior citizens;</p> <p>b) To report to the mayor, establishment found violating any provision of this Act; and</p> <p>c) To assist the senior citizens in filing complaints or charges against any establishment, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice or the provincial, city or municipal trial court.</p>
RA 9994 (amendment ↑↑)	“Expanded Senior Citizens Act of 2010”	Approved: February 15, 2010	<p>Hereby further amended to read as follows:</p> <p>a) Lodging establishment refers to a building, edifice, structure, apartment or house including tourist inn, apartelle, motorist hotel, and pension house engaged in catering, leasing or providing facilities to transients, tourists or travelers;</p> <p>b) Medical Services refer to hospital services, professional services of physicians and other health care professionals and diagnostics and laboratory tests that the necessary for the diagnosis or treatment of an illness or injury;</p> <p>c) Dental services to oral examination, cleaning, permanent and temporary filling, extractions and gum treatments, restoration, replacement or repositioning of teeth, or alteration of the alveolar or periodontium process of the maxilla and the mandible that are necessary for the diagnosis or treatment of an illness or injury;</p> <p>d) Nearest surviving relative refers to the legal spouse who survives the deceased senior citizen: Provided, That where no spouse survives the decedent, this shall be limited to relatives in the following order of degree of kinship: children, parents, siblings, grandparents, grandchildren, uncles and aunts;</p> <p>e) Home health care service refers to health or supportive care provided to the senior citizen patient at home by licensed health care professionals to include, but not limited to, physicians, nurses, midwives, physical therapist and caregivers; and</p>

f) Indigent senior citizen, refers to any elderly who is frail, sickly or with disability, and without pension or permanent source of income, compensation or financial assistance from his/her relatives to support his/her basic needs, as determined by the Department of Social Welfare and development (DSWD) in consultation with the National Coordinating and Monitoring Board."

#### Section 4

- Death benefit assistance of a minimum of Two thousand pesos (Php2, 000.00) shall be given to the nearest surviving relative of a deceased senior citizen which amount shall be subject to adjustments due to inflation in accordance with the guidelines to be issued by the DSWD.

#### Section 5

- Incentive for Foster Care

The government shall provide incentives to individuals or nongovernmental institution caring for or establishing homes, residential communities or retirement villages solely for, senior citizens, as follows:

- 1 realty tax holiday for the first five (5) years starting from the first year of operation; and
- 2 priority in the construction or maintenance of provincial or municipal roads leading to the aforesaid home, residential community or retirement village.

- Additional Government Assistance

- 1 Social Pension - Indigent senior citizens shall be entitled to a monthly stipend amounting to Five hundred pesos (Php500.00) to augment the daily subsistence and other medical needs of senior citizens, subject to a review every two (2) years by Congress, in consultation with the DSWD.
- 2 Mandatory PhilHealth Coverage - All indigent senior citizens shall be covered by the national health insurance program of PhilHealth. The LGUs where the indigent senior citizens resides shall allocate the necessary funds to ensure the enrollment of their indigent senior citizens in accordance with the pertinent laws and regulations.
- 3 Social Safety Nets - Social safety assistance intended to cushion the effects of economics shocks, disasters and calamities shall be available for senior citizens. The social safety assistance which shall include, but not limited to, food, medicines, and financial assistance for domicile repair, shall be sourced from the disaster/calamity funds of LGUs where the senior citizens reside, subject to the guidelimes to be issued by the DSWD."

#### Section 6 – *The Office for Senior Citizens Affairs (OSCA).*

- There shall be established in all cities and municipalities an OSCA to be headed by a senior citizen who shall be appointed by the mayor for a term of three (3) years without reappointment but without prejudice to an extension if exigency so requires. Said appointee shall be chosen from a list of three (3) nominees as recommended by a general assembly of senior citizens organizations in the city or municipality.

- The head of the OSCA shall be appointed to serve the interest of senior citizens and shall not be removed or

			<p>replaced except for reasons of death permanent disability or ineffective performance of his duties to the detriment of fellow senior citizens.</p> <ul style="list-style-type: none"> <li>- The head of the OSCA shall be entitled to receive an honorarium of an amount at least equivalent to Salary Grade 10 to be approved by the LGU concerned.</li> <li>- The head of the OSCA shall be assisted by the City Social Welfare and Development officer or by the Municipal Social Welfare and Development Officer, in coordination with the Social Welfare and Development Office.</li> <li>- The Office of the Mayor shall exercise supervision over the OSCA relative to their plans, activities and programs for senior citizens. The OSCA shall work together and establish linkages with accredited NGOs Pos and the barangays in their respective areas.</li> </ul>
RA 10645 (amendment ↑&↑↑↑)		Approved: November 5, 2014	<p>An Act Providing for the Mandatory PhilHealth Coverage</p> <p>Section 1 – <i>Mandatory PhilHealth Coverage.</i></p> <ul style="list-style-type: none"> <li>- All senior citizens shall be covered by the national health insurance program of PhilHealth. Funds necessary to ensure the enrollment of all senior citizens not currently covered by any existing category shall be sourced from the National Health Insurance Fund of PhilHealth from proceeds of Republic Act No. 10351, in accordance with the pertinent laws and regulations</li> </ul>
RA 7876	“Senior Citizen’s Center Act of the Philippines”	Approved: February 19, 1995	<p>An Act Establishing Senior Citizens Center in All Cities and Municipalities</p> <p>Section 5 – <i>Functions of the Centers.</i></p> <ul style="list-style-type: none"> <li>- The centers are extensions of the fourteen (14) regional offices of the Department. They shall carry out the following functions: <ul style="list-style-type: none"> <li>a) Identify the needs, trainings, and opportunities of senior citizens in the cities and municipalities;chan robes virtual law library</li> <li>b) Initiate, develop and implement productive activities and work schemes for senior citizens in order to provide income or otherwise supplement their earnings in the local community;</li> <li>c) Promote and maintain linkages with provincial government units and other instrumentalities of government and the city and municipal councils for the elderly and the Federation of Senior Citizens Association of the Philippines and other non-government organizations for the delivery of health care services, facilities, professional advice services, volunteer training and community self-help projects; and</li> <li>d) To exercise such other functions which are necessary to carry out the purpose for which the centers are established.</li> </ul> </li> </ul> <p>Section 6 – <i>Center Workers.</i></p> <ul style="list-style-type: none"> <li>- The Secretary of the Department of Social Welfare and Development (DSWD) may designate social workers from the Department as the workers of the centers: Provided, however, That the Secretary may appoint other personnel who possess the necessary professional qualifications to work efficiently with the elderly of the community.</li> </ul>

			<p>- The Secretary may also call upon private volunteers who are responsible members of the community to provide medical, educational and other services and facilities for the senior citizens.</p> <p>Section 7 – Qualification/Disqualification.</p> <p>- A senior citizen who suffers from a contagious disease, or who is mentally unfit or unsound or whose actuations are inimical to other senior citizens as determined by the DSWD on the basis of an appropriate certification by a qualified government or private volunteer physician, may be denied the benefits provided in the Center. However, the center shall refer the senior citizen concerned to the appropriate government agency for the needed medical care or confinement.</p> <p>Section 8 – <i>Exemptions of the Center.</i></p> <p>- The Center shall be exempted from the payment of customs duties, taxes and tariffs on the importation of equipment and supplies used actually, directly and exclusively by the Center pursuant to this Act, including those donated to the Center</p>
	Madrid International Plan of Action on Ageing (MIPAA)	Held on: April 8-12, 2002	<p>- The Madrid Plan of Action offers a bold new agenda for handling the issue of ageing in the 21st-century. It focuses on three priority areas: older persons and development; advancing health and well-being into old age; and ensuring enabling and supportive environments. It is a resource for policymaking, suggesting ways for Governments, non-governmental organizations, and other actors to reorient the ways in which their societies perceive, interact with and care for their older citizens. And it represents the first time Governments agreed to link questions of ageing to other frameworks for social and economic development and human rights, most notably those agreed at the United Nations conferences and summits of the past decade.</p> <p>- The Madrid International Plan of Action on Ageing and the Political Declaration adopted at the Second World Assembly on Ageing in 2002 mark a turning point in how the world addresses the key challenge of “building a society for all ages”.</p>

#### LAWS FOR PERSONS WITH DISABILITY

NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
RA 7277	“Magna Carta for Disabled Persons”	Approved: March 24, 1992	<p>An Act Providing for the Rehabilitation, Self-development and Self-reliance of Disabled Persons and their Integration into the Mainstream of Society</p> <p>- Disabled Persons are those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being</p> <p>- Impairment is any loss, diminution or aberration of psychological, physiological, or anatomical structure of function</p>

			<ul style="list-style-type: none"> <li>- Disability shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment</li> <li>- Handicap refers to a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions or activity, that is considered normal given the age and sex of the individual</li> </ul>
RA 9442 (amendment ↑)		Approved: April 30, 2007	<ul style="list-style-type: none"> <li>- At least twenty percent (20%) discount</li> </ul>
RA 10070 (amendment ↑↑)	PWD Affairs Officer / PDAO	Approved: April 6, 2010	<p>An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality</p> <ul style="list-style-type: none"> <li>- Local government units shall promote the establishment of organizations of persons with disabilities (PWDs) in their respective territorial jurisdictions</li> </ul>
BP 344	“The Law to Enhance Mobility of Disabled Persons” / Accessibility Law	Approved: February 25, 1983	<p>An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to install Facilities and Other Devices</p> <ul style="list-style-type: none"> <li>- Provide for minimum requirements and standards to make buildings, facilities and utilities for public use accessible to disabled persons</li> <li>- Scope: Public and private buildings and related structures for public use; Streets and highways and public utilities; Public transport terminals including those of LRTA</li> </ul>
	“BIWAKO Millennium Framework for Action”	Held on: October 25-28,2002	<ul style="list-style-type: none"> <li>- Promoting an inclusive, barrier-free and rights-based society for people with disabilities in the Asian and Pacific region in the twenty-first century</li> </ul>
RA 9288	“New Born Screening Act of 2004”	Approved: April 7,2004	<p>An Act Promulgating a Comprehensive Policy and A National System for Ensuring Newborn Screening</p> <ul style="list-style-type: none"> <li>- Newborn screening is ideally done on the 48th – 72nd hour of life. However, it may also be done after 24 hours from birth</li> </ul>
	“United Nation Convention on the Rights of PWDs” (UN-CRPD)	Entered into force: May 3, 2008	<ul style="list-style-type: none"> <li>- It takes to a new height the movement from viewing persons with disabilities as “objects” of charity, medical treatment and social protection towards viewing persons with disabilities as “subjects” with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.</li> </ul>
RA 9709	“Universal Newborn Hearing Screening and Intervention Act of 2009”	Approved: August 12, 2009	<p>An Act Establishing A Universal Newborn Hearing Screening Program for the Prevention, Early Diagnosis and Intervention of Hearing Loss</p> <ul style="list-style-type: none"> <li>- Universal Newborn Hearing Screening Program (UNHSP) to institutionalize measures for the prevention and early diagnosis of congenital hearing loss among newborns, the provision of referral follow-up, recall and early intervention services to infants with hearing loss, and counseling and other support services for families of newborns with hearing loss, to afford them all the opportunities to be productive members of the community</li> </ul>

EO 709	Redefining the Functions and Organizational Structure of National Council for the Welfare of Disabled Persons Renamed As the National Council on Disability Affairs and Attached to the Office of the President	Signed on: February 26, 2008	<p>- Functions and organizational structure of the National Council for the Welfare of Disabled Persons (NCWDP) which shall be renamed as the National Council on Disability Affairs (NCDA) and which shall be attached to the Office of the President</p> <ul style="list-style-type: none"> <li>a) Department of Social Welfare and Development</li> <li>b) Department of Health</li> <li>c) Department of Labor and Employment</li> <li>d) Department of Education</li> <li>e) Department of the Interior and Local Government</li> <li>f) Department of Trade and Industry</li> <li>g) Department of Public Works and Highways</li> <li>h) Department of Transportation and Communications</li> <li>i) Department of Foreign Affairs</li> <li>j) Department of Justice</li> <li>k) Philippine Information Agency</li> <li>l) Technical Education and Skills Development Authority and 6 private individuals</li> </ul>
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<b>LAWS FOR INDIGENOUS PEOPLE</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
RA 7942	"Philippine Mining Act of 1995"	Approved: March 3, 1995	<p>An Act Instituting A New System of Mineral Resources Exploration, Development, Utilization and Conservation</p> <p>- Definition of Terms</p> <ul style="list-style-type: none"> <li>a) Ancestral lands - refers to all lands exclusively and actually possessed, occupied, or utilized by indigenous cultural communities by themselves or through their ancestors in accordance with their customs and traditions since time immemorial, and as may be defined and delineated by law.</li> <li>b) Block or meridional block - means an area bounded by one-half (1/2) minute of latitude and one-half (1/2) minute of longitude, containing approximately eightyone hectares (81 has).</li> <li>c) Exclusive economic zone - means the water, sea bottom and subsurface measured from the baseline of the Philippine archipelago up to two hundred nautical miles (200 n.m.) offshore.</li> <li>d) Foreign-owned corporation - means any corporation, partnerships, association, or cooperative duly registered in accordance with law in which less than fifty per centum (50%) of the capital is owned by Filipino citizens</li> </ul>
RA 8371	"The Indigenous People's Rights Act of 1997"	Approved: October 29, 1997	<p>An Act to Recognize, Protect and Promote the Rights of the Indigenous People, Creating a NCIP, Establishing Implementing Mechanisms</p> <p>- Ancestral Domains - Subject to Section 56 hereof, refer to all areas generally belonging to ICCs/IPs comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time</p>

			<p>immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators;</p>
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<b>LAWS FOR POOR</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
RA 8425	“Social Reform and Poverty Alleviation Act”	Approved: December 11, 1997	<p>An Act Institutionalizing Social Reform and Poverty Alleviation Program, Creating the NAPC, Defining its Powers and Functions</p> <p>Section 4.</p> <ol style="list-style-type: none"> <li>1 Social dimension access to quality basic services. — These are reforms which refer to equitable control and access to social services and facilities such as education, health, housing, and other basic services which enable the citizens to meet their basic human needs and to live decent lives;</li> <li>2 Economic dimension asset reform and access to economic opportunities. — Reforms which address the existing inequities in the ownership, distribution, management and control over natural and man-made resources from which they earn a living or increase the fruits of their labor;</li> <li>3 Ecological dimension sustainable development of productive resources. — Reforms which ensure the effective and sustainable utilization of the natural and ecological resource base, thus assuring greater social acceptability and increased participation of the basic sectors in environmental and natural resources conservation, management and development;</li> <li>4 Governance dimension democratizing the decision-making and management processes. — Reforms which enable the basic sectors to effectively participate in decision-making and management processes that affect their rights, interests and welfare.</li> </ol> <p>- The SRA shall focus on the following sector-specific flagship programs:</p> <ol style="list-style-type: none"> <li>1 For farmers and landless rural workers</li> <li>2 For the fisherfolk</li> <li>3 For the indigenous peoples and indigenous communities</li> <li>4 For workers in the informal sector</li> <li>5 For the urban poor</li> <li>6 For members of other disadvantaged groups such as the women, children, youth, persons with disabilities, the elderly, and victims of natural and man-made calamities — the Comprehensive Integrated Delivery of Social Services (CIDSS)</li> </ol>

RA 8759	“Public Employment Service Office Act of 1999”	Approved: February 14, 2000	<p>An Act Institutionalizing A National Facilitation Service Network through the Establishment of A Public Employment Service Office (PESO) in Every Province, Key City and Other Strategic Areas throughout the Country</p> <p>Section 3.</p> <p>- To carry out the above-declared policy, there shall be established in all capital towns of provinces, key cities and other strategic areas a Public Employment Service Office, hereinafter referred to as "PESO," which shall be community-based and maintained largely by local government units (LGUs) and a number of nongovernmental organizations (NGOs) or community-based organizations (CBOs) and state universities and colleges (SUCs). The PESOs shall be linked to the regional offices of the Department of Labor and Employment (DOLE) for coordination and technical supervision, and to the DOLE central office, to constitute the national employment service network.</p> <p>Section 6. Other Services of the PESO.</p> <p>a) Jobs Fairs - These shall be conducted periodically all over the country to bring together in one venue job seekers and employers for immediate matching;</p> <p>b) Livelihood and Self-Employment Bazaars - These will give clients information on the wide array of livelihood programs they choose to avail of, particularly in the rural areas;</p> <p>c) Special Credit Assistance for Placed Overseas Workers - This type of assistance will enable poor but qualified applicants to avail of opportunities for overseas employment;</p> <p>d) Special Program for Employment of Students and Out-of-School Youth (SPESOS) - This program shall endeavor to provide employment to deserving students and out-of-school youth coming from poor families during summer and/or Christmas vacations as provided for under Republic Act No. 7323 and its implementing rules, to enable them to pursue their education;</p> <p>e) Work Appreciation Program (WAP) - This program aims to develop the values of work appreciation and ethics by exposing the young to actual work situations;</p> <p>f) Workers Hiring for Infrastructure Projects (WHIP) - This program is in pursuance of Republic Act No. 6685 which requires construction companies, including the Department of Public Works and Highways and contractors for government-funded infrastructure projects, to hire thirty percent (30%) of skilled and fifty percent (50%) of unskilled labor requirements from the areas where the project is constructed/located; and</p> <p>g) Other programs/activities developed by DOLE to enhance provision of employment assistance to PESO clients, particularly for special groups of disadvantaged workers such as persons with disabilities (PWDs) and displaced workers.</p>
RA 10691 (amendment ↑)	“Public Employment Service Office Act”	Approved: October 26, 2015	<p>An Act Defining the Role of the DOLE, the LGUs and Accredited NGOs in Establishment and Operation of the PESO and Operation of Job Placement Offices in Educational Institutions (EIs)</p> <p>Section 3 – <i>Establishment of the Public Employment Service Office.</i></p> <p>- To carry out the above declared policy, there shall be established in all provinces, cities, and municipalities a Public Employment Service Office, hereinafter referred to as ‘PESO’, which shall be operated and maintained by</p>

			<p>local government units (LGUs). The PESOs shall be linked to the regional offices of the Department of Labor and Employment (DOLE) for coordination and technical supervision, and to the DOLE central office, to constitute the national public employment service network.</p> <ul style="list-style-type: none"> <li>- “The PESO shall be under the office of the governor, city or municipal mayor. The PESO shall be initially organized by and composed of a PESO manager and may be assisted by a labor and employment officer (LEO) as may be determined by the LGU.</li> <li>- “Upon the request of accredited nongovernment organizations (NGOs) or educational institutions (EIs), the DOLE may enter into a memorandum of agreement for the NGO and EI to establish, operate and maintain a PESO and a job placement office, respectively.</li> <li>- “To harmonize the provision of employment services in a given territorial jurisdiction, the PESO at the NGOs and the job placement office in EIs shall coordinate their activities with the appropriate LGU PESO.”</li> </ul>
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<b>LAWS FOR FAMILY</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
EO 209	“Family Code of the Philippines”	<p>Signed on: July 6, 1987</p> <p>Effectivity Date: August 3, 1988</p> <p>Took effect: August 4, 1988</p>	<p>Title 1: Marriage Chapter 1: Requisites of Marriage Article 1.</p> <ul style="list-style-type: none"> <li>- Marriage is a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life.</li> </ul> <p>Article 2.</p> <ul style="list-style-type: none"> <li>- No marriage shall be valid, unless these essential requisites are present:               <ol style="list-style-type: none"> <li>1 Legal capacity of the contracting parties who must be a male and a female; and</li> <li>2 Consent freely given in the presence of the solemnizing officer.</li> </ol> </li> </ul> <p>Article 3</p> <ul style="list-style-type: none"> <li>- The formal requisites of marriage are:               <ol style="list-style-type: none"> <li>1 Authority of the solemnizing officer;</li> <li>2 A valid marriage license except in the cases provided for in Chapter 2 of this Title; and</li> <li>3 A marriage ceremony with the appearance of the contracting parties before the solemnizing officer and their personal declaration as husband and wife in the presence of not less than two witnesses of legal age.</li> </ol> </li> </ul> <p>Article 4.</p> <ul style="list-style-type: none"> <li>- The absence of any of the essential or formal requisites shall render the marriage void ab initio</li> <li>- A defect in any of the essential requisites shall render marriage voidable</li> <li>- Irregularity in formal requisites shall not affect validity of the marriage but party or parties shall be civilly, criminally and administratively liable.</li> </ul>

			<p><b>Article 6.</b> - Articulo mortis, when the party at the point of death is unable to sign the marriage certificate, one of the witnesses to the marriage to write the name of said party, which fact shall be attested by the solemnizing officer.</p> <p><b>Article 7.</b> - Marriage may be solemnized by: 1 Any member of the judiciary within the court's jurisdiction; 2 Any church or religious sect duly authorized and registered with the civil registrar genera 3 Any ship captain or airplane chief only in the case mentioned in Article 31; 4 Any military commander, during a military operation, only in the cases mentioned in Article 32; 5 Any consul-general, consul or vice-consul in case provided in Article 10</p> <p><b>Article 14.</b> - In case either or both, are between the ages of eighteen and twenty-one, they shall, in addition to the requirements of their father, mother, surviving parent or guardian, or persons having legal charge of them. Such consent shall be manifested in writing.</p> <p><b>Article 15.</b> - Any contracting party between the age of twenty-one and twenty-five shall be obliged to ask their parents or guardian for advice upon the intended marriage. If not obtain such advice, the marriage license shall not be issued.</p> <p><b>Article 17.</b> - The local civil registrar shall prepare a notice contain the full names and residences of the applicants for a marriage license. Posted for ten consecutive days on a bulletin board outside the office of the local civil registrar.</p> <p><b>Chapter 2: Marriages Exempted from License Requirement</b> <b>Article 27.</b> - In case either or both parties are at the point of death, the marriage may be solemnized without a marriage license and shall remain valid even if the ailing party subsequently survives. (72a)</p> <p><b>Article 28.</b> - If residence of either party is located that there is no means of transportation to enable such party to appear personally before the local civil registrar, the marriage may be solemnized.</p>
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			<p><b>Article 33.</b> - Marriages among Muslims or among members of the ethnic cultural communities without marriage license provided they are solemnized in accordance with their customs, rites or practices.</p> <p><b>Article 34</b> - No license necessary for the marriage of a man and a woman who have lived together as husband and wife for at least five years</p> <p><b>Chapter 3: Void and Voidable Marriages</b></p> <p><b>Article 35.</b> - The following marriages shall be void from the beginning:</p> <ol style="list-style-type: none"> <li>1 Any party below eighteen years of age even with the consent of parents or guardians;</li> <li>2 Any person not legally authorized to perform marriages;</li> <li>3 Those solemnized without license, except those covered the preceding Chapter;</li> <li>4 Those bigamous or polygamous marriages not failing under Article 41;</li> <li>5 Those contracted through mistake of one contracting party as to the identity of the other; and</li> <li>6 Those subsequent marriages that are void under Article 53.</li> </ol> <p><b>Article 37.</b> - Marriages between the following are incestuous and void from the beginning:</p> <ol style="list-style-type: none"> <li>1 Between ascendants and descendants of any degree; and</li> <li>2 Between brothers and sisters, whether of the full or half blood.</li> </ol> <p><b>Article 38.</b> - The following marriages shall be void from the beginning for reasons of public policy:</p> <ol style="list-style-type: none"> <li>1 Between collateral blood relatives whether legitimate or illegitimate, up to the fourth civil degree;</li> <li>2 Between step-parents and step-children;</li> <li>3 Between parents-in-law and children-in-law;</li> <li>4 Between the adopting parent and the adopted child;</li> <li>5 Between the surviving spouse of the adopting parent and the adopted child;</li> <li>6 Between the surviving spouse of the adopted child and the adopter;</li> <li>7 Between an adopted child and a legitimate child of the adopter;</li> <li>8 Between adopted children of the same adopter; and</li> <li>9 Between parties where one, with the intention to marry the other, killed that other person's spouse, or his or her own spouse.</li> </ol>
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			<p>Article 57. - An action for legal separation shall be filed within five years from the time of the occurrence of the cause.</p> <p>Article 63. - The decree of legal separation shall have the following effects:</p> <ol style="list-style-type: none"> <li>1 The spouses shall be entitled to live separately from each other, but the marriage bonds shall not be severed;</li> <li>2 The absolute community or the conjugal partnership shall be dissolved and liquidated but the offending spouse shall have no right to any share of the net profits earned by the absolute community or the conjugal partnership;</li> <li>3 The custody of the minor children shall be awarded to the innocent spouse; and</li> <li>4 The offending spouse shall be disqualified from inheriting from the innocent spouse by intestate succession.</li> </ol> <p>Title 5: The Family Chapter 1: The Family as an Institution Article 149. - The family, being the foundation of the nation, is a basic social institution which public policy cherishes and protects.</p> <p>Article 50. - Family relations include those:</p> <ol style="list-style-type: none"> <li>1 Between husband and wife;</li> <li>2 Between parents and children;</li> <li>3 Among other ascendants and descendants; and</li> <li>4 Among brothers and sisters, whether of the full or half-blood</li> </ol> <p>Title 6: Paternity and Filiation Chapter 1: Legitimate Children Article 163. - The filiation of children may be by nature or by adoption. Natural filiation may be legitimate or illegitimate.</p> <p>Article 164. - Children conceived or born during the marriage of the parents are legitimate. - Children conceived as a result of artificial insemination of the wife with the sperm of the husband or that of a donor or both are likewise legitimate children of the husband and his wife, provided, that both of them authorized in a written instrument executed and signed by them before the birth of the child. The instrument</p>
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			<p>shall be recorded in the civil registry together with the birth certificate of the child.</p> <p>Article 165. - Children conceived and born outside a valid marriage are illegitimate, unless otherwise provided in this Code.</p> <p>Chapter 2: Proof of Filiation Article 172. - The filiation of legitimate children is established by any of the following: 1 The record of birth appearing in the civil register or a final judgment; or 2 An admission of legitimate filiation in a public document or a private handwritten instrument and signed by the parent concerned.</p> <p>Article 174. - Legitimate children shall have the right: 1 To bear the surnames of the father and the mother; 2 To receive support from their parents, their ascendants, and in proper cases, their brothers and sisters; and 3 To be entitled to the legitimate and other successional rights granted to them by the Civil Code.</p> <p>Article 179. - Legitimated children shall enjoy the same rights as legitimate children.</p> <p>Article 184. - The following persons may not adopt: 1 The guardian with respect to the ward prior to the approval of the final accounts rendered upon the termination of their guardianship relation; 2 Any person who has been convicted of a crime involving moral turpitude;</p> <p>Article 185. - Husband and wife must jointly adopt, except in the following cases: 1 When one spouse seeks to adopt his own illegitimate child; or 2 When one spouse seeks to adopt the legitimate child of the other.</p> <p>Article 187. - The following may not be adopted: 1 A person of legal age, unless he or she is a child by nature of the adopter or his or her spouse, or, prior to the adoption, said person has been consistently considered and treated by the adopter as his or her own</p>
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			<p>child during minority.</p> <ol style="list-style-type: none"> <li>2 An alien with whose government the Republic of the Philippines has no diplomatic relations;</li> <li>3 A person who has already been adopted unless such adoption has been previously revoked or rescinded</li> </ol> <p>Title 8: Support Article 198.</p> <p>- During the proceedings for legal separation or for annulment of marriage, and for declaration of nullity of marriage, the spouses and their children shall be supported from the properties of the absolute community or the conjugal partnership. After the final judgment granting the petition, the obligation of mutual support between the spouses ceases. However, in case of legal separation, the court may order that the guilty spouse shall give support to the innocent one, specifying the terms of such order.</p> <p>Title 9: Parental Authority Chapter 1: General Provisions Article 212.</p> <p>- In case of absence or death of either parent, the parent present shall continue exercising parental authority. The remarriage of the surviving parent shall not affect the parental authority over the children, unless the court appoints another person to be the guardian of the person or property of the children.</p> <p>Article 213.</p> <p>- In case of separation of the parents, parental authority shall be exercised by the parent designated by the Court. The Court shall take into account all relevant considerations, especially the choice of the child over seven years of age, unless the parent chosen is unfit.</p> <p>Article 214.</p> <p>- In case of death, absence or unsuitability of the parents, substitute parental authority shall be exercised by the surviving grandparent.</p> <p>Chapter 2: Substitute and Special Parental Authority Article 216.</p> <p>- In default of parents or a judicially appointed guardian, the following person shall exercise substitute parental authority over the child in the order indicated:</p> <ol style="list-style-type: none"> <li>1 The surviving grandparent;</li> <li>2 The oldest brother or sister, over twenty-one years of age, unless unfit or disqualified; and</li> <li>3 The child's actual custodian, over twenty-one years of age, unless unfit or disqualified.</li> </ol>
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			<p>Article 217.</p> <ul style="list-style-type: none"> <li>- In case of foundlings, abandoned neglected or abused children and other children similarly situated, parental authority shall be entrusted in summary judicial proceedings to heads of children's homes, orphanages and similar institutions duly accredited by the proper government agency.</li> </ul> <p>Article 218.</p> <ul style="list-style-type: none"> <li>- The school, its administrators and teachers, or the individual, entity or institution engaged in child care shall have special parental authority and responsibility over the minor child while under their supervision, instruction or custody.</li> <li>- Authority and responsibility shall apply to all authorized activities whether inside or outside the premises of the school, entity or institution.</li> </ul>
RA 8533 (amendment ↑)		Approved: February 23, 1998	<p>An Act Amending Title 1, Chapter 3, Article 39 of EO 209, Nullifying the Prescriptive Period for Action or Defences Grounded on Physiological Incapacity</p> <p>Title 1: Marriage Chapter 3: Void and Voidable Marriages Article 39: "The action or defense for the declaration of absolute nullity of a marriage shall not prescribe"</p>
RA 9255 (amendment ↑↑)		Approved: February 24, 2004	<p>An Act Allowing Illegitimate Children to Use the Surname of their Father, Amending Article 176 of EO 209</p> <p>Article 176:</p> <ul style="list-style-type: none"> <li>- Illegitimate children shall use the surname and be under the parental authority of their mother, and shall be entitled to support in conformity with this Code</li> <li>- However, illegitimate children may use the surname of their father if their filiation has been expressly recognized by the father through record of birth appearing in the civil register, or when an admission in a public document or private handwritten instrument is made by the father.</li> <li>- Provided, the father has the right to institute an action before the regular courts to prove non-filiation during his lifetime. The legitimate (<i>portion share</i>) of each illegitimate child shall consist of one-half of the legitimate of a legitimate child." </li></ul>
RA 9858 (amendment ↑↑↑)		Approved: December 20, 2009	<p>As Amended, An Act Providing for the Legitimation of Children Born to Parents Below Marrying Age</p> <p>Article 177:</p> <ul style="list-style-type: none"> <li>- Children conceived and born outside of wedlock of parents who, at the time of the conception of the former, were not disqualified by any impediment to marry each other, or were so disqualified only because either or both of them were below eighteen (18) years of age, may be legitimated.</li> </ul> <p>Article 178:</p> <ul style="list-style-type: none"> <li>- Legitimation shall take place by a subsequent valid marriage between parents. The annulment of a voidable marriage shall not affect the legitimation.</li> </ul>

RA 8369	"Family Courts Act of 1997"	Approved: October 28, 1997	<p>An Act Establishing Family Courts and Granting them Original Jurisdiction Over Child and Family Cases, Amending BP 129 known as the Judiciary Reorganization Act of 1980</p> <p>Sec. 4 of sec. 15 of BP 129, as amended — <i>Qualification and Training of Family Court Judges:</i>  - No person shall be appointed Regional Trial Judge or Presiding Judge of the Family Court unless:  1 He is a natural-born citizen of the Philippines  2 At least thirty-five (35) years of age  3 For at least ten (10) years, engaged in practice of law in the Philippines or held a public office in the Philippines requiring admission to the practice of law as indispensable requisite  - Presiding Judge, as well as court personnel of the Family Courts, shall undergo training and must have the experience and demonstrated ability in dealing with child and family cases.</p> <p>Section 5 — <i>Jurisdiction of family Courts:</i> The Family Courts shall have exclusive original jurisdiction to hear and decide the following cases:  a) Criminal cases of minor below age of 9 to below 18 of age: Provided, that if the minor is found guilty, the court shall promulgate sentence and ascertain any civil liability which the accused may have incurred.  *The sentence, however, shall be suspended without need of application pursuant to PD 603  b) Petitions for guardianship, custody of children, habeas corpus in relation to the latter  c) Petitions for adoption of children and revocation thereof  d) d) Complaints for annulment of marriage, declaration of nullity of marriage and those relating to marital status and property relations of husband and wife or those living together under different status and agreements, and petitions for dissolution of conjugal partnership of gains  e) Petitions for support and/or acknowledgment  f) Summary judicial proceedings under the provisions of EO 209  g) Petitions for declaration of status of children as abandoned, dependent o neglected children, petitions for voluntary or involuntary commitment of children; the suspension, termination, or restoration of parental authority and other cases cognizable under related laws  h) Petitions for the constitution of the family home  i) Cases against minors cognizable under the Dangerous Drugs Act  j) Violations of Republic Act No. 7610, as amended by Republic Act No. 7658  k) Cases of domestic violence against:  1 Women - which are acts to result in physical, sexual or psychological harm or suffering to women; and other forms of physical abuse which violate a woman's personhood, integrity and freedom movement  2 Children - which include the commission of all forms of abuse, neglect, cruelty, exploitation, violence, and discrimination and all other conditions prejudicial to their development.</p>
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			<p><b>Section 9 – Social Services and Counseling Division:</b>  - Under the guidance of (DSWD), a Social Services and Counseling Division (SSCD) shall be established in each judicial region as the Supreme Court. It shall provide appropriate social services to all juvenile and family cases filed with the court and recommend the proper social action. It shall also develop programs, formulate uniform policies and procedures, and provide technical supervision and monitoring of all SSCD in coordination with the judge.</p>
RA 8972	“Solo Parent’s Welfare Act of 2000”	Approved: November 7, 2000	<p>An Act Providing for Benefits and Privileges for Solo to Solo Parents and their Children</p> <p><b>Section 2 – Declaration of Policy:</b>  - Policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Shall develop a comprehensive program of services for solo parents and their children to be carried out by DSWD, DOH, the Department of Education, Culture and Sports (DECS), DILG, CHED, TESDA, NHA, DOLE and other related government and non-government agencies.</p> <p><b>Section 3 – Definition of Terms:</b>  Solo Parent. . .</p> <ol style="list-style-type: none"> <li>1 A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender:  *<i>Provided</i>, That the mother keeps and raises the child</li> <li>2 Parent left alone with the responsibility of parenthood (r.o.p.) due to death of spouse</li> <li>3 Parent left alone with the r.o.p. while the spouse is detained or serving sentence for a criminal conviction for at least one (1) year</li> <li>4 Parent left alone with the r.o.p. due to physical and/or mental incapacity of spouse as certified by a public medical practitioner</li> <li>5 Parent left alone with the r.o.p. due to legal separation or <i>de facto</i> separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children</li> <li>6 Parent left alone with the r.o.p. due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children</li> <li>7 Parent left alone with the r.o.p. due to abandonment of spouse for at least one (1) year;</li> <li>8 Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution</li> <li>9 Any other person who solely provides parental care and support to a child or children</li> <li>10 Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent</li> </ol> <p><b>Section 4 – Criteria for Support.</b>  - Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the National</p>

			<p>Economic and Development Authority (NEDA) and subject to the assessment of the DSWD worker in the area shall be eligible for assistance:  <i>Provided, however,</i> That any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 6, 7 and 8 of this Act.</p> <p>- Assistance and Benefits:  Section 6 — <i>Flexible Work Schedule.</i>  Section 7 — <i>Work Discrimination.</i>  Section 8 — <i>Parental Leave.</i></p> <p>- In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least one (1) year.  Section 9 — <i>Educational Benefits.</i></p> <p>- The DECS, CHED and TESDA shall provide the following benefits and privileges:  1 Scholarship programs  2 Non-formal education programs  Section 10 — <i>Housing Benefits.</i></p> <p>- Solo parents shall be given allocation in housing projects and shall be provided with liberal terms of payment on said government low-cost housing projects.</p> <p>Section 11 — <i>Medical Assistance.</i> - The DOH shall develop a comprehensive health care program for solo parents and their children. The program shall be implemented by the DOH through their retained hospitals and medical centers and LGUs.</p> <p>Section 12 — <i>Additional Powers and Functions of the DSWD.</i></p> <p>a) Conduct research necessary to:</p> <ol style="list-style-type: none"> <li>1 develop a new body of knowledge on solo parents</li> <li>2 define executive and legislative measures needed to promote and protect the interest of solo parents and their children</li> <li>3 assess the effectiveness of programs designed for disadvantaged solo parents and their children</li> </ol> <p>b) Coordinate the activities of various governmental and nongovernmental organizations engaged in promoting and protecting the interests of solo parents and their children</p> <p>c) Monitor the implementation of the provisions of this Act and suggest mechanisms by which such provisions are effectively implemented.</p>
RA 10354	“The Responsible Parenthood and Reproductive Health Act of 2012” / RH Law	Approved: December 21, 2012	An Act providing for a National Policy on Responsible Parenthood and Reproductive Health  Section 2 - <i>Declaration of Policy.</i> - State recognizes and guarantees the human rights of all persons including right to equality and non-

discrimination of these rights, right to sustainable human development, right to health which includes reproductive health, right to education and information, and right to choose and make decisions for themselves in accordance with their religious convictions, ethics, cultural beliefs and demands of responsible parenthood...  
 - State guarantees universal access to medically-safe, non-abortifacient, effective, legal, affordable and quality reproductive-health care services, methods, devices, supplies which do not prevent implantation of fertilized ovum as determined by Food and Drug Administration (FDA) and relevant information and education to the needs of women, children and underprivileged sectors, identified through National Household Targeting System for Poverty Reduction (NHTS-PR) and other government measures of identifying marginalization, who shall be voluntary beneficiaries of reproductive health care, services and supplies free.

Section 4 – *Definition of Terms.*

- a) Abortifacient - any drug or device that induces abortion or destruction of fetus inside mother’s womb or prevention of fertilized ovum to reach the mother’s womb upon determination of FDA.
- b) Adolescent - ages 10 to 19 years in transition from childhood to adulthood.
- c) Basic Emergency Obstetric and Newborn Care (BEMONC) – lifesaving services for emergency maternal and newborn conditions/complications being provided by health facility or professional services.
- d) Comprehensive Emergency Obstetric and Newborn Care (CEMONC) - with lifesaving services in BEMONC, plus of highly specialized obstetric interventions.
- e) Family planning - enables couples and individuals to decide freely and responsibly in number of their children and have access to a full range of non-abortifacient modern natural and artificial methods of planning pregnancy.
- f) Fetal and infant death review - in-depth study of causes of fetal and infant death through changes or additions to programs, plans and policies.
- g) Gender Equality - equality between women and men and equals rights to enjoy access to services in health and sustainable human development, without discrimination.
- h) Gender Equity - policies, instruments, programs and actions address disadvantaged of women in society. Entails fairness and justice in benefits and responsibilities between women and men.
- i) Natural Family Planning - methods used to plan/prevent pregnancy by identifying woman’s fertile days.
- j) Public Health Care Service Provider - (1) public health care institution, (2) public health care professional, (3) public health worker, (4) barangay health worker
- k) Reproductive Health (RH) - state of complete physical, mental and social well-being in matters of reproductive system.
- l) Reproductive Health Care - access to full range of methods, facilities, services and supplies addressing reproductive health-related problems.
- m) Reproductive Tract Infection (RTI) - refers to sexually transmitted infections (STIs) and other types of infections affecting reproductive system.
- n) Skilled Birth Attendance - childbirth managed by skilled health professional including enabling conditions of



			<p>necessary equipment and support of functioning health system.</p> <p>o) Skilled Health Professional - midwife, doctor or nurse who has been educated and trained</p> <p>p) Sustainable Human Development - bringing all people to center of development process.</p> <p><i>Section 7 – Access to Family Planning.</i>  - No person shall be denied information and access to family planning services, whether natural or artificial: Provided, that minors will not be allowed access to modern method of family planning without written consent from their parents or guardian; except when minor is already a parent or had a miscarriage.</p> <p><i>Section 13 – Mobile Health Care Services (MHCS).</i>  - shall be operated by LGUs in national and local government may provide each provincial, city, municipal and district hospital with a MHCS in form of a van or other means of transportation delivering health care goods and services especially to poor and needy with disseminate knowledge and information.</p> <p><i>Section 14 – Age and Development Appropriate Reproductive Health Education.</i>  - DepEd shall formulate curriculum while shall be used by public schools and may be adopted by private schools which shall be taught by trained teachers in relevant subjects such as self-protection against discrimination; sexual abuse and violence; forms of gender based violence and teen pregnancy; changes in adolescents; women and children rights; responsible teenage behavior; gender and development; and responsible parenthood, but not limited to values formation.</p> <p><i>Section 17 – ProBono Services for Indigent Woman.</i>  - Private and non-government reproductive health care services, including, but not limited t, gynecologists and obstetricians, are encourage to provide at least 48 hours annually of reproductive health services as a prerequisite in accreditation under PhilHealth.</p> <p><i>Section 22 – Congressional Oversight Committee (COC) on Reproductive Health Act.</i>  - COC composed of five (5) members from Senate and House of the Representatives, shall be appointed by Senate President and the Speaker.  - COC shall monitor and conduct a review of this Act every five (5) years from its effectivity.</p> <p><i>Section 23 – Prohibited Acts.</i></p> <p>a) Any health care service provider, who shall...</p> <ol style="list-style-type: none"> <li>1 Knowingly withhold, restrict or intentionally provide incorrect information regarding programs and services on reproductive health</li> <li>2 Refuse to perform legal and medically-safe reproductive health procedures on any legal age on any lack of consent or authorization.</li> </ol>
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			<p>3 Refuse to extend quality health care services and information on account the person's marital status, gender, age, religious convictions, personal circumstances or nature of work.</p> <p>b) Any public officer, charged with the duty to implement in this provisions, which prohibits or restricts to deliver health care services or do any act that hinders full implementation of reproductive health program.</p> <p>c) Any employer who shall suggest, require, unduly influence or cause any applicant to submit to sterilization, use any modern methods of family planning as a condition for employment, continued employment, promotion or provision of employment benefits. Futher, pregnancy or number of children shall not be a ground for non-hiring or termination from employment</p> <p>d) Any person who shall falsify a Certificate of Compliance</p> <p>e) Any pharmaceutical company, which directly or indirectly colludes with government officials, in the distribution, procurement or sale of modern family planning supplies, products and services.</p>
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LAWS FOR WOMEN			
NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
	<p>"United Nations Convention on the Elimination of All Forms of Discrimination Against Women" (UN-CEDAW)</p>	<p>Entered into force: September 3, 1981</p>	<p>- The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."</p> <p>- By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:</p> <ul style="list-style-type: none"> <li>* To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;</li> <li>* To establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and</li> <li>* To ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.</li> </ul> <p>- The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.</p> <p>- The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.</p>


			- Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.
RA 6725		Approved: May 12, 1989	An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment  Section 1. <i>Amending Art. 135 of the Labor Code.</i> - Discrimination Prohibited. -- It shall be unlawful for any employer to discriminate against any woman employee with respect to terms and conditions of employment solely on account of her sex. - The following are acts of discrimination: a) Payment of a lesser compensation, including wage, salary or other form of remuneration and fringe benefits, to a female employee as against a male employee, for work of equal value; and b) Favoring a male employee over a female employee with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes
RA 6955	“Mail Order Bride”	Approved: June 13, 1990	An Act to Declare Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals On A Mail-Order Basis and Other Similar Practices, Including the Advertisement, Publication, Printing or Distribution of Brochures, Filters and Other Propaganda Materials  Section 2. (a) - For a person, natural or juridical, association, club or any other entity to commit, directly or indirectly, any of the following acts: 1 To establish or carry on a business which has for its purpose the matching of Filipino women for marriage to foreign nationals either on a mail-order basis or through personal introduction; 2 To advertise, publish, print or distribute or cause the advertisement, publication, printing or distribution of any brochure, flier, or any propaganda material calculated to promote the prohibited acts in the preceding subparagraph; 3 To solicit, enlist or in any manner attract or induce any Filipino woman to become a member in any club or association whose objective is to match women for marriage to foreign nationals either on a mail-order basis or through personal introduction for a fee; 4 To use the postal service to promote the prohibited acts in subparagraph 1 hereof.
RA 7192	“Women in Development and Nation Building-Act”	Approved: February 12, 1992	An Act Promoting the Integration of Women As Full and Equal Partners of Men in Development and Nation Building  Section 2. - The State recognizes the role of women in nation building and shall ensure the fundamental equality before the law of women and men. The State shall provide women rights and opportunities equal to that of men.

			<p>To attain the foregoing policy:</p> <ol style="list-style-type: none"> <li>1 A substantial portion of official development assistance funds received from foreign governments and multilateral agencies and organizations shall be set aside and utilized by the agencies concerned to support programs and activities for women;</li> <li>2 All government departments shall ensure that women benefit equally and participate directly in the development programs and projects of said department, specifically those funded under official foreign development assistance, to ensure the full participation and involvement of women in the development process; and</li> <li>3 All government departments and agencies shall review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein.</li> </ol>
RA 7877	“Anti-Sexual Harassment Act of 1995”	Approved: February 14, 1995	<p>An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment</p> <p><i>Section 3 – Work, Education or Training-related Sexual Harassment Defined.</i></p> <p>- Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act.</p> <p>a) In a work-related or employment environment, sexual harassment is committed when:</p> <ol style="list-style-type: none"> <li>1 The sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in Republic Act No. 7877 page 2 any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;</li> <li>2 The above acts would impair the employee’s rights or privileges under existing labor laws; or</li> <li>3 The above acts would result in an intimidating, hostile, or offensive environment for the employee.</li> </ol> <p>b) In an education or training environment, sexual harassment is committed:</p> <ol style="list-style-type: none"> <li>1 Against one who is under the care, custody or supervision of the offender;</li> <li>2 Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;</li> <li>3 When the sexual favor is made a condition to the giving of a passing grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or</li> <li>4 When the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.</li> </ol> <p>- Any person who directs or induces another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed, shall also be held liable under this Act.</p>

RA 7882		Approved: February 20, 1995	<p>An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises</p> <p><i>Section 3 – Women With Existing Micro and Cottage Business.</i></p> <p>- Any woman who, at the time of the effectivity of this Act shall have been engaged for at least (1) year in any micro and cottage business, with a daily inventory of goods worth not more than Twenty-five thousand pesos (P25,000) or with any business equipment with a book value of not more than Fifty thousand pesos (P50,000) shall have priority to obtain a loan not exceeding the value of her business equipment, at prime interest rate or at the rate of twelve percent (12%) per annum, whichever is lower, from any government financing institution: Provided, That only women with good track record in sales shall be eligible to obtain such loan.</p> <p><i>Section 4 – Business Learner.</i></p> <p>- Any woman who shall have been certified, after appropriate training, by the Technical Education and Skills Development Authority (TESDA), or any government or government-accredited training institution as eligible to operate a micro and cottage business with a maximum capitalization of Twenty-five thousand pesos (P25,000) shall likewise be eligible in obtaining a loan under the same conditions as provided in the preceding Section: Provided, That no loan for the operation of a retail store shall be granted: Provided, further, That the loan shall be limited to the purchase of the basic equipment, tools and materials: Provided, furthermore, That such basic equipment and tools shall be subject to chattel mortgage in favor of the government financing institution concerned.</p>
	Beijing Plan of Action: The United Nations Fourth World Conference on Women	Held on: September 4-15, 1995	<p>- The 1995 Beijing Platform for Action flagged 12 key areas where urgent action was needed to ensure greater equality and opportunities for women and men, girls and boys.</p> <p>1 Women and poverty</p> <p> - When women are poor, their rights are not protected and they face double discrimination, on account of their gender and economic situation. Women, their families, communities and economies suffer as a result.</p> <p>- UN Women runs myriad programmes to provide training, loans and practical skills to empower women economically, give them a voice, strengthen social services and increase awareness of women’s rights.</p> <p>2 Education and training of women</p> <p> - Education is essential for women to reach gender equality and become leaders of change. While women and girls today are far more educated than ever before, gaps remain. Educated women benefit entire societies, contributing to flourishing economies and the improved health, nutrition and education of their families. Education and training are also tools to help change harmful gender stereotypes.</p> <p>- UN Women promotes women’s right to an education in all fields. We support educational programmes to promote gender equality and women’s rights, revise formal school curricula and policies, and help train teachers, students and parents.</p>

			<p><b>3 Women and health</b></p>  <ul style="list-style-type: none"> <li>- Women need to be healthy in order to realize their full potential. This includes proper nutrition, sexual and reproductive rights, and mental health, as well as freedom from violence.</li> <li>- UN Women advocates for States to better coordinate the provision of health services for women and girls—including for survivors of violence—and supports non-governmental partners providing essential services. We work to end practices that bring danger to women and girls, including child marriage, female genital cutting, dietary restrictions, and others. We act to ensure that women’s needs are met during medical humanitarian crises, and support and empower women living with <u>HIV and AIDS</u>.</li> </ul> <p><b>4 Violence against women</b></p>  <ul style="list-style-type: none"> <li>- Violence hurts women and girls and hampers their ability to thrive in multiple ways. Since the Beijing Conference, an historic two-thirds of countries have put laws on the books to stop domestic violence. Yet gaps in laws, implementation of legal protection and lack of access to essential services remain for women globally.</li> <li>- <u>Ending violence against women</u> is one of UN Women’s key priorities. We support expanding access to quality multi-sectorial responses for survivors covering safety, shelter, health, justice and other essential services. We advocate for laws and help guide policies and action plans to help step-up investments in prevention—the most cost-effective, long-term means to stop violence against women by addressing its root cause</li> </ul> <p><b>5 Women and armed conflict</b></p>  <ul style="list-style-type: none"> <li>- Wars and armed conflict destroy families and societies and leave women and girls particularly vulnerable. Sexual violence is widespread and often used as a war tactic.</li> <li>- UN Women’s programmes on <u>women, peace and security</u> engage women in all aspects of negotiations, peace building and reconstruction to build inclusive societies. We train peacekeepers to detect, address and stop conflict-related sexual violence, while also supporting the reform of justice and security institutions and ensuring that public services that are fully responsive to women’s needs.</li> </ul> <p><b>6 Women and the economy</b></p>  <ul style="list-style-type: none"> <li>- Whether in businesses, on farms, as entrepreneurs or employees, or through unpaid domestic or care work at home, women make enormous contributions to economies. Gender discrimination means women often end up in insecure, low-wage jobs, and constitute a small minority of those in senior positions.</li> <li>- To ensure that women can contribute fully and benefit from the economy, UN Women runs multiple programmes for women’s <u>economic empowerment</u>. We promote women’s ability to secure decent jobs, own land, accumulate assets, and influence institutions and public policies determining growth and development. We also work with partners to ensure that workplaces are free of violence and sexual harassment.</li> </ul> <p><b>7 Women in power and decision-making</b></p>  <ul style="list-style-type: none"> <li>- Once in leadership roles, women make a difference. But they are under-represented as voters and in top positions, whether in elected office, the civil service, corporate boardrooms or academia.</li> <li>- UN Women advocates for reforms to ensure women’s fair access to decision-making.</li> </ul>
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			<p>Our <u>programmes on leadership and participation</u> provide training for women political candidates to help build their skills, as well as voter and civic education and sensitization campaigns on gender equality. We work with UN country teams, unions and civil society to ensure that elections uphold women’s rights, including to vote and campaign free from violence. Through the <u>Fund for Gender Equality</u>, we also support women’s grass-roots groups and help give women a greater voice on a range of issues</p> <p> 8 Institutional mechanisms</p> <ul style="list-style-type: none"> <li>- Specialized institutions have played an important part in informing laws, policies and programmes and advancing gender equality. Robust laws and policies coupled with stronger mechanisms to coordinate various actors and ensure their effective enforcement and implementation can push the agenda.</li> <li>- UN Women works with governments to develop informed national action plans, ensure gender-responsive budgeting, and strengthen coordination among diverse actors for sustained and meaningful action. We partner with governments, UN agencies, civil society organizations and other institutions to build capacity and increase awareness. We support and advocate for evidence-based policymaking. To this end, UN Women stresses the need for sex-disaggregated data <u>and played an important role</u> in the development of 52 gender indicators</li> </ul> <p>9 Human rights of women</p> <ul style="list-style-type: none"> <li>- Women and girls are entitled to the full and equal enjoyment of all of their human rights. The <u>Beijing Platform for Action</u> confirms that protection and promotion of human rights is the first responsibility of governments and core to the work of the United Nations.</li> <li>- UN Women provides technical assistance to ensure that States create national laws, policies and plans to ensure women’s rights and protect them against violations. We promote international treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), lobby decision-makers to ensure that adequate laws are passed and work with partners to train and educate the law enforcement and justice officials who must implement them.</li> </ul> <p>10 Women and the media</p> <ul style="list-style-type: none"> <li>- The media plays a significant role in perpetuating and challenging social norms that condone discrimination or violence against women. It can objectify women but also showcase strong women leaders and protagonists who can become role models for their audience.</li> <li>- UN Women collaborates closely with the media as a key ally in advancing women’s rights. Apart from working with the media to facilitate in-depth coverage on women’s rights, we undertake research on the portrayal of women in news media as well as the entertainment industry. Additionally the <u>Media Compact on Beijing+20</u>, works to increase and sharpen the profile of women in the news. We also conduct special workshops and trainings with journalists globally to encourage gender-sensitive reporting.</li> </ul> <p>11 Women and the environment</p> <ul style="list-style-type: none"> <li>- Women are among the most affected by climate change. They are often the ones gathering water, fishing or farming land affected by flooding. Meanwhile, their voices are often ignored in environmental planning and management. They also have less access to land and productive resources.</li> </ul>
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			<p>- UN Women seeks to ensure women are involved in environmental decision-making at all levels, integrating their concerns in policies and programmes, and establishing ways to assess the impact of development and environmental policies on women. We take part in international fora, following negotiations and maintaining active outreach to ensure that the decisions incorporate references to gender equality, women’s rights and women’s contribution in climate change mitigation and adaptation.</p> <p>12 The girl child</p>  <ul style="list-style-type: none"> <li>- Specific forms of violence and harmful practices, including female genital mutilation (FGM) and cutting, breast ironing and child marriage, affect girls in particular, including child sexual abuse.</li> <li>- UN Women works to empower girls and young women to pursue their dreams, confront discrimination, and prevent violence of all kinds. We raise awareness of girls’ rights, support programmes that work with educators, parents and fathers in particular, and with religious leaders. To advance girls’ education, health and well-being, we advocate with governments and other partners, striving for a world where girls can live free from fear, violence and discrimination.</li> </ul>
RA 8353	“Anti-Rape Law of 1997”	Approved: September 30, 1997	<p>An Act Expanding the Definition of the Crime of Rape Reclassifying the Same As A Crime Against Persons, Amending the Purpose Act No. 3815 known as the Revised Penal Code</p> <p><i>Article 266 — A. Rape; When And How Committed.</i></p> <p>- Rape Is Committed:</p> <p>1 By a man who shall have carnal knowledge of a woman under any of the following circumstances:</p> <ol style="list-style-type: none"> <li>a) Through force, threat, or intimidation;</li> <li>b) When the offended party is deprived of reason or otherwise unconscious;</li> <li>c) By means of fraudulent machination or grave abuse of authority; and</li> <li>d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.</li> </ol> <p>2 By any person who, under any of the circumstances mentioned in paragraph 1 hereof, shall commit an act of sexual assault by inserting his penis into another person’s mouth or anal orifice, or any instrument or object, into the genital or anal orifice of another person</p>
RA 8505	“Rape Victim Assistance and Protection Act of 1998”	Approved: February 13, 1998	<p>An Act Providing Assistance and Protection for Rape Victims, Establishing for the Purpose A Rape Crisis Center in Every Province and City</p> <p><i>Section 3 — Rape Crisis Center.</i></p> <p>- The Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), and a lead non-government organization (NGO) with proven track record or experience in handling sexual abuse cases, shall establish in every province and city a rape crisis center located in a government hospital or health clinic or in any other suitable place for the purpose of:</p> <ol style="list-style-type: none"> <li>a) Providing rape victims with psychological counselling, medical and health services, including their medico-</li> </ol>

			<p>legal examination;</p> <p>b) Securing free legal assistance or service, when necessary, for rape victims;</p> <p>c) Assisting rape victims in the investigation to hasten the arrest of offenders and the filing of cases in court;</p> <p>d) Ensuring the privacy and safety of rape victims;</p> <p>e) Providing psychological counseling and medical services when necessary for the family of rape victims;</p> <p>f) Developing and undertaking a training program for law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers, and barangay officials on human rights and responsibilities; gender sensitivity and legal management of rape cases; and</p> <p>g) Adopting and implementing programs for the recovery of rape victims.</p>
RA 9262	"Anti-Violence Against Women and Their Children Act of 2004" (Anti-VAWC Act)	Approved: March 8, 2004	<p>Section 3 – <i>Definition of Terms.</i></p> <p>1 "Violence against women and their children" refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes, but is not limited to, the following acts:</p> <p>a) "Physical Violence" refers to acts that include bodily or physical harm;</p> <p>b) "Sexual violence" refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:</p> <p>i. Rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;</p> <p>ii. Acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion;</p> <p>iii. Prostituting the woman or child.</p> <p>c) "Psychological violence" refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.</p> <p>d) "Economic abuse" refers to acts that make or attempt to make a woman financially dependent which includes, but is not limited to the following:</p> <p>i. Withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity, except in cases wherein the other spouse/partner objects on valid,</p>

			<p>serious and moral grounds as defined in Article 73 of the Family Code;</p> <ul style="list-style-type: none"> <li>ii. Deprivation or threat of deprivation of financial resources and the right to the use and enjoyment of the conjugal, community or property owned in common;</li> <li>iii. Destroying household property;</li> <li>iv. Controlling the victims' own money or properties or solely controlling the conjugal money or properties.</li> </ul> <p>2 "Battery" refers to an act of inflicting physical harm upon the woman or her child resulting to the physical and psychological or emotional distress.</p> <p>3 "Battered Woman Syndrome" refers to a scientifically defined pattern of psychological and behavioral symptoms found in women living in battering relationships as a result of cumulative abuse.</p> <p>4 "Stalking" refers to an intentional act committed by a person who, knowingly and without lawful justification follows the woman or her child or places the woman or her child under surveillance directly or indirectly or a combination thereof.</p> <p>5 "Dating relationship" refers to a situation wherein the parties live as husband and wife without the benefit of marriage or are romantically involved over time and on a continuing basis during the course of the relationship. A casual acquaintance or ordinary socialization between two individuals in a business or social context is not a dating relationship.</p> <p>6 "Sexual relations" refers to a single sexual act which may or may not result in the bearing of a common child.</p> <p>7 "Safe place or shelter" refers to any home or institution maintained or managed by the Department of Social Welfare and Development (DSWD) or by any other agency or voluntary organization accredited by the DSWD for the purposes of this Act or any other suitable place the resident of which is willing temporarily to receive the victim.</p> <p>8 "Children" refers to those below eighteen (18) years of age or older but are incapable of taking care of themselves as defined under Republic Act No. 7610.</p> <p><i>Section 5 – Acts of Violence Against Women and Their Children.</i></p> <p>- The crime of violence against women and their children is committed through any of the following acts:</p> <ul style="list-style-type: none"> <li>a) Causing physical harm to the woman or her child;</li> <li>b) Threatening to cause the woman or her child physical harm;</li> <li>c) Attempting to cause the woman or her child physical harm;</li> <li>d) Placing the woman or her child in fear of imminent physical harm;</li> <li>e) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or child. This shall include, but not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or</li> </ul>
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			<p>conduct:</p> <ol style="list-style-type: none"> <li>1 Threatening to deprive or actually depriving the woman or her child of custody to her/his family;</li> <li>2 Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;</li> <li>3 Depriving or threatening to deprive the woman or her child of a legal right; and</li> <li>4 Preventing the woman in engaging in any legitimate profession, occupation, business or activity or controlling the victim's own money or properties, or solely controlling the conjugal or common money, or properties.</li> </ol> <p>f) Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;</p> <p>g) Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or through intimidation directed against the woman or her child or her/his immediate family;</p> <p>h) Engaging in purposeful, knowing, or reckless conduct, personally or through another that alarms or causes substantial emotional or psychological distress to the woman or her child. This shall include, but not be limited to, the following acts:</p> <ol style="list-style-type: none"> <li>1 Stalking or following the woman or her child in public or private places;</li> <li>2 Peering in the window or lingering outside the residence of the woman or her child;</li> <li>3 Entering or remaining in the dwelling or on the property of the woman or her child against her/his will;</li> <li>4 Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or her child; and</li> <li>5 Engaging in any form of harassment or violence.</li> </ol> <p>i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children of access to the woman's child/children.</p>
RA 9208	"Anti-Trafficking in Persons Act of 2003"	Approved: May 26, 2003	<p>An Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons</p> <p>Section 3 – <i>Definition of Terms.</i></p> <p>a) <i>Trafficking in Persons</i> - refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.</p> <p>- The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall</p>

			<p>also be considered as "trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph</p> <ul style="list-style-type: none"> <li>b) <i>Child</i>- refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.</li> <li>c) <i>Prostitution</i> - refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.</li> <li>d) <i>Forced Labor and Slavery</i> - refer to the extraction of work or services from any person by means of enticement, violence, intimidation or threat, use of force or coercion, including deprivation of freedom, abuse of authority or moral ascendancy, debt-bondage or deception.</li> <li>e) <i>Sex Tourism</i> - refers to a program organized by travel and tourism-related establishments and individuals which consists of tourism packages or activities, utilizing and offering escort and sexual services as enticement for tourists. This includes sexual services and practices offered during rest and recreation periods for members of the military.</li> <li>f) <i>Sexual Exploitation</i> - refers to participation by a person in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud or through abuse of a victim's vulnerability.</li> <li>g) <i>Debt Bondage</i> - refers to the pledging by the debtor of his/her personal services or labor or those of a person under his/her control as security or payment for a debt, when the length and nature of services is not clearly defined or when the value of the services as reasonably assessed is not applied toward the liquidation of the debt.</li> <li>h) <i>Pornography</i> - refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.</li> <li>i) <i>Council</i>- shall mean the Inter-Agency Council Against Trafficking created under Section 20 of this Act.</li> </ul> <p>Section 4 — <i>Acts of Trafficking in Persons.</i></p> <p>- It shall be unlawful for any person, natural or juridical, to commit any of the following acts:</p> <ul style="list-style-type: none"> <li>a) To recruit, transport, transfer; harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</li> <li>b) To introduce or match for money, profit, or material, economic or other consideration, any person or, as provided for under Republic Act No. 6955, any Filipino woman to a foreign national, for marriage for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</li> <li>c) To offer or contract marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or</li> </ul>
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RA 9710	"The Magna Carta of Women"	Approved: August 14, 2009	<ul style="list-style-type: none"> <li>- Affirms the role of women in nation building and ensures the substantive equality of women and men</li> <li>- Promotes empowerment of women and pursue equal opportunities for women and men and ensure equal access to resources and to development results and outcome.</li> <li>- Principles of Human Rights of Women: <ul style="list-style-type: none"> <li>1 Universal &amp; inalienable</li> <li>2 Indivisible</li> <li>3 Interdependent &amp; interrelated</li> <li>4 All individuals are equal as human beings by virtue of the inherent dignity of each human person</li> <li>5 Right to participate &amp; access information relating to the decision – making process that affect their lives and well – being (Rights – based approaches)</li> </ul> </li> <li>- Definition of Terms: <ul style="list-style-type: none"> <li>a) Women Empowerment - provision, availability, and accessibility of opportunities, services, and observance of human rights which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society</li> <li>b) Discrimination Against Women - it includes any act or omission, including by law; policy, administrative measure, or practice, that directly or indirectly excludes or restricts women in the recognition and</li> </ul> </li> </ul>

			<p>promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges</p> <p>c) Marginalization - condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social, and cultural life</p> <p>d) Marginalized - basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure; and the justice system</p> <p>- These include, but are not limited to, women in the following sectors and groups:</p> <ol style="list-style-type: none"> <li>1 Small Farmers and Rural Workers: engaged directly or indirectly in small farms and forest areas, workers in commercial farms and plantations, whether paid or unpaid, regular or season-bound</li> <li>2 Fisherfolk: women engaged in fishing in municipal waters, coastal and marine areas, women workers in commercial fishing and aquaculture, vendors and processors of fish and coastal products, and subsistence producers such as shell-gatherers, managers, and producers of mangrove resources, and other related producers</li> <li>3 Urban Poor: residing in urban and urbanizable slum or blighted areas, with or without the benefit of security of abode, where the income of the head of the family cannot afford in a sustained manner to provide for the family's basic needs of food, health, education, housing, and other essentials in life</li> <li>4 Workers in the Formal Economy: those who are employed by any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the government and all its branches, subdivisions, and instrumentalities, all government- owned and -controlled corporations and institutions, as well as nonprofit private institutions or organizations</li> <li>5 Workers in the Informal Economy: self-employed, occasionally or personally hired, subcontracted, paid and unpaid family workers in household incorporated and unincorporated enterprises, including home workers, micro-entrepreneurs and producers, and operators of sari-sari stores and all other categories who suffer from violation of workers' rights</li> <li>6 Migrant Workers: Filipinos who are to be engaged, are engaged, or have been engaged in a remunerated activity in a State of which they are not legal residents, whether documented or undocumented;</li> <li>7 Indigenous Peoples: a group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined territory</li> <li>8 Moro: native peoples who have historically inhabited Mindanao, Palawan, and Sulu, and who are largely of the Islamic faith</li> <li>9 Children: those who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition</li> <li>10 Senior Citizens: those 60 y/o and above</li> </ol>
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			<ul style="list-style-type: none"> <li>b) Development Councils and Planning Bodies</li> <li>c) Other Policy and Decision – Making Bodies</li> <li>d) International Bodies</li> <li>e) Integration of Women in Political Parties</li> <li>f) Private Sector</li> <li>7 Equal treatment before the Law</li> <li>8 Equal access and elimination of discrimination in education, scholarships and training</li> <li>9 develop, establish, and strengthen programs for the participation of women and girl-children in competitive and non-competitive sports as a means to achieve excellence, promote physical and social well-being, eliminate gender-role stereotyping, and provide equal access to the full benefits of development for all persons regardless of sex, gender identity, and other similar factors</li> <li>10 Women in the military</li> <li>11 Non discriminatory &amp; nonderogatory portrayal of women in media and film (raise awareness of the general public in recognizing the dignity of women and the role contribution of women in family and in society)</li> <li>12 Women’s Right to Health: <ul style="list-style-type: none"> <li>a) Comprehensive Health Services <ul style="list-style-type: none"> <li>i. Maternal care to include pre- and post-natal services to address pregnancy and infant health and nutrition</li> <li>ii. Promotion of breastfeeding</li> <li>iii. Responsible, ethical, legal, safe, and effective methods of family planning</li> <li>iv. Family and State collaboration in youth sexuality education and health services without prejudice to the primary right and duty of parents to educate their children</li> <li>v. Prevention and management of reproductive tract infections, including sexually transmitted diseases, HIV, and AIDS</li> <li>vi. Prevention and management of reproductive tract cancers like breast and cervical cancers, and other gynecological conditions and disorders</li> <li>vii. Prevention of abortion and management of pregnancy-related complications</li> <li>viii. In cases of violence against women and children, women and children victims and survivors shall be provided with comprehensive health services that include psychosocial, therapeutic, medical, and legal interventions and assistance towards healing, recovery, and empowerment</li> <li>ix. Prevention and management of infertility and sexual dysfunction pursuant to ethical norms and medical standards</li> <li>x. Care of the elderly women beyond their child-bearing years</li> <li>xi. Management, treatment, and intervention of mental health problems of women and girls. In addition, healthy lifestyle activities are encouraged and promoted through programs and projects as strategies in the prevention of diseases.</li> </ul> </li> <li>b) Comprehensive Health Information and Education</li> </ul> </li> </ul>
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			<ul style="list-style-type: none"> <li>i. The natural and primary right and duty of parents in the rearing of the youth and the development of moral character and the right of children to be brought up in an atmosphere of morality and rectitude for the enrichment and strengthening of character</li> <li>ii. The formation of a person's sexuality that affirms human dignity</li> <li>iii. Ethical, legal, safe, and effective family planning methods including fertility awareness</li> <li>c) Special leave benefits for Women (aggregate employment service of at least six (6) months for the last twelve (12) months shall be entitled to a special leave benefit of two (2) months with full pay based on her gross monthly compensation following surgery caused by gynecological disorders)</li> <li>d) Equal Rights in All Matters Relating to Marriage and Family Relations <ul style="list-style-type: none"> <li>i. Same rights to enter into &amp; leave marriages or common law relationships</li> <li>ii. Same rights to choose freely a spouse and to enter into marriage only with their free and full consent</li> <li>iii. Joint decision on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights</li> <li>iv. Same personal rights between spouses or common law spouses including the right to choose freely a profession and an occupation</li> <li>v. Same rights for both spouses or common law spouses in respect of the ownership, acquisition, management, administration, enjoyment, and disposition of property</li> <li>vi. Same rights to properties and resources, whether titled or not, and inheritance, whether formal or customary</li> <li>vii. Women shall have equal rights with men to acquire, change, or retain their nationality</li> </ul> </li> </ul> <p>- Rights and Empowerment of Maginalized Sectors</p> <ul style="list-style-type: none"> <li>* Food Security and Productive Resources: contribution of women to food production and shall ensure its sustainability and sufficiency with the active participation of women <ul style="list-style-type: none"> <li>a) Right to Food</li> <li>b) Right to Resources for Food Production</li> </ul> </li> <li>* Right to Housing</li> <li>* Right to Decent Work <ul style="list-style-type: none"> <li>a) Decent work involves opportunities for work that are productive and fairly remunerative as family living wage, security in the workplace, and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns organize, participate in the decisions that affect their lives, and equality of opportunity and treatment for all women and men</li> <li>b) The State shall further ensure: <ol style="list-style-type: none"> <li>1 Support services and gears to protect them from occupational and health hazards taking into account women's maternal functions</li> <li>2 Support services that will enable women to balance their family obligations and work responsibilities including, but not limited to, the establishment of day care centers and breast-feeding stations at the</li> </ol> </li> </ul> </li> </ul>
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			<p>workplace, and providing maternity leave pursuant to the Labor Code and other pertinent laws</p> <p>3 Membership in unions regardless of status of employment and place of employment</p> <p>4 Respect for the observance of indigenous peoples' cultural practices even in the workplace.</p> <p>c) State shall develop local employment and other economic opportunities for women; State shall ensure the protection and promotion of the rights and welfare of migrant women</p> <p>- Right to Livelihood, Credit, Capital and Technology</p> <p>a) Equal access to formal sources of credit and capital</p> <p>b) Equal share to the produce of farms and aquatic resources</p> <p>c) Employment opportunities for returning women migrant workers taking into account their skills and qualifications. Corollarily, the State shall also promote skills and entrepreneurship development of returning women migrant workers</p> <p>- Right to Education and Training</p> <p>a) Women migrant workers have the opportunity to undergo skills training before taking on a foreign job, and possible retraining upon return to the country</p> <p>b) Gender-sensitive training &amp; seminars</p> <p>c) Equal opportunities in scholarships based on merit and fitness especially to those interested in research &amp; development aimed towards women-friendly farm technology</p> <p>- Right to Representation &amp; Participation – ensure women's participation in policy-making or decision making bodies in the regional, national and international levels</p> <p>- Right to Information – Ensure access to information regarding policies on women, including programs, projects and funding outlays that affect them</p> <p>- Social Protection</p> <p>a) SSS &amp; PhilHealth shall support indigenous &amp; community-based social protection schemes</p> <p>b) Promotion and protection of livelihood and employment, protection against hazards and sudden loss of income, and improvement in people's capacity to manage risks</p> <p>c) Provision of access to investment opportunities for remittances in line with national development efforts</p> <p>d) The State shall establish a health insurance program for senior citizens and indigents</p> <p>e) The State shall support women with disabilities on a community-based social protection scheme</p> <p>- Recognition &amp; Preservation of Cultural Identity &amp; Integrity</p> <p>- Peace &amp; Development</p>
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			<ul style="list-style-type: none"> <li>a) Increase the number of women participating in discussions and decision-making in the peace process</li> <li>b) Ensure the development and inclusion of women’s welfare and concerns in the peace agenda</li> <li>c) Ensure protection of civilians, specifically to the needs women and girls, in conflict-affected communities</li> <li>d) Include the peace perspective in the education curriculum and other educational undertakings</li> <li>e) Recognition and support for women’s role in conflict-prevention, management, resolution and peacemaking, and in indigenous systems of conflict resolution</li> </ul> <p>- Women in Especially Difficult Circumstances (WEDC) – refers to victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally</p> <p>- Services &amp; Intervention for WEDC –</p> <ul style="list-style-type: none"> <li>a) Temporary &amp; protective custody</li> <li>b) Medical and dental services</li> <li>c) Psychological evaluation</li> <li>d) Counseling</li> <li>e) Psychiatric evaluation</li> <li>f) Legal services</li> <li>g) Productivity skills capability building</li> <li>h) Livelihood assistance</li> <li>i) Job placement</li> <li>j) Financial assistance</li> <li>k) Transportation assistance</li> </ul> <p>- Protection of Girl-Children:</p> <ul style="list-style-type: none"> <li>a) Eliminate all forms of discrimination against girl-children in education, health and nutrition, and skills development</li> <li>b) Girl-children shall be protected from all forms of abuse and exploitation</li> <li>c) Equal access of Moro and indigenous girl-children in the Madaris, schools of living culture and traditions and the regular schools</li> <li>d) Gender-sensitive curriculum</li> <li>e) Sensitivity of regular schools to particular Moro and indigenous practices</li> </ul> <p>- Protection of Senior Citizens - ensure special protection mechanisms and support services against violence, sexual abuse, exploitation, and discrimination of older women</p>
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			<p>- Institutional Mechanisms</p> <p>* Gender Mainstreaming as a Strategy for Implementing the Magna Carta of Women</p> <p>The Philippine Commission on Women (PCW), formerly known as “National Commission on the Role of Filipino Women (NCRFW), is the primary policy-making coordinating body of the women and gender equality concerns under the Office of the President</p>
RA 10398	“National Consciousness Day For The Elimination Of Violence Against Women And Children”	Approved: March 19, 2013	<p>An Act Declaring November 25 of Every Year as NCDEVAWC</p> <p>- Activities:</p> <ol style="list-style-type: none"> <li>1 All agencies/institution/ corporations/LGUs/ Gov’t Offices, together w/ their employees, shall organize, engage or participate in activities designed to raise public awareness on the problem of violence, and the elimination of all forms of violence, against women &amp; children</li> <li>2 The Philippine Information Agency shall be mandated to allocate a minimum of 1 hour airtime for programs exclusively raising public awareness on the problem of violence, and the elimination of all forms of violence, against women &amp; children, as well as all television &amp; radio networks</li> <li>3 Publishers of local newspapers &amp; magazines are encouraged to highlight the problem of violence, and the elimination of all forms of violence, against women &amp; their children</li> <li>4 Advocacy for women’s &amp; children’s human rights in public &amp; private school communities shall be led by the ff: DepEd, CHED, TESDA, Phil. Commission on Women (PCW), DSWD, Women NGOs &amp; other NGOs, and People’s Organizations advocating on the said matter</li> </ol> <p>- Status and statistics on all forms of violence against women &amp; children, both inside &amp; outside the country, will be reported to the public every November 25 of the year. The data-gathering &amp; systematization shall be led by the ff: NSO, PNP, DSWD, DOLE, DFA and all Phil. Embassies and consulates, and PCW</p> <p>- Coordinating, monitoring, and evaluating of the activities outlined in the annual 18-day campaign at the and shall be done by:</p> <ol style="list-style-type: none"> <li>1 National Level: PCW + Inter-Agency Council Against Trafficking (IACAT) + Inter-Agency Council on Violence Against Women and their Children (IAC-VAWC)</li> <li>2 Regional Level (provincial, municipal and barangay levels): Regional Inter-Agency Committee on Anti-Trafficking-Violence Against Women and their Children (RIACAT-VAWC)</li> <li>3 PCW + IACAT + IAC-VAWC = coordinate &amp; tap the expertise of gov’t agencies, such as MTRCB &amp; OWWA, as well as private organizations, in the implementation of activities for the 18-day campaign</li> </ol> <p>- Funds shall be taken out of the 5% GAD budget allocated to all gov’t agencies and LGU</p>

**LAWS FOR CHILDREN AND YOUTH**

NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
PD 603	"Child and Youth Welfare Code"	Approved: December 10, 1974	<p>- Applies to persons below 21 years old except those emancipated in accordance with law</p> <p>- Rights of the Child</p> <ol style="list-style-type: none"> <li>1 Every child is endowed with worth &amp; dignity from the moment of his conception; right to be bor</li> <li>2 Right to a wholesome family</li> <li>3 Right to a well - rounded dev't of his personality</li> <li>4 Right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy &amp; vigorous life</li> <li>5 Right to be brought up in an atmosphere of morality &amp; rectitude for the enrichment &amp; strengthening of his character</li> <li>6 Right to an education</li> <li>7 Right to full opportunities for safe &amp; wholesome recreation &amp; activities</li> <li>8 Right to protection against any harmful circumstances</li> <li>9 Right to live in a safe &amp; healthy community</li> <li>10 Right to care, assistance and protection of the State</li> <li>11 Right to an efficient &amp; honest government</li> <li>12 Right to grow up as a free individual</li> </ol> <p>- Responsibilities of a Child</p> <ol style="list-style-type: none"> <li>1 Strive to lead an upright and virtuous life</li> <li>2 Love, respect and obey his parents, and cooperate with them in strengthening the family</li> <li>3 Extend to his brothers &amp; sisters his love, care, thoughtfulness, and helpfulness, and endeavor w/ them to keep the family harmonious &amp; united</li> <li>4 Exert his utmost to develop his potentialities for service</li> <li>5 Respecting all</li> <li>6 Participate actively in civic affairs &amp; in promotion of the general welfare</li> <li>7 Helping in the observance of human rights, the strengthening of freedom everywhere, etc</li> </ol> <p>- The civil personality of the child shall commence from the time of his conception</p> <p>- Non-disclosure of Birth Records except for:</p> <ol style="list-style-type: none"> <li>1 The person himself, or any person authorized by him</li> <li>2 His spouse, his parent/s, his direct descendants, or the guardian or institution legally in-charge of him, if he is minor</li> <li>3 The court or proper public official</li> </ol>

			<p><b>4 In case of the person's death, the nearest of kin</b></p> <ul style="list-style-type: none"> <li>- Joint Parental Authority: Both parents shall exercise just &amp; reasonable parental authority; however, the father's decision shall prevail</li> <li>* In case of absence or death of either parents: the surviving parent will exercise authority</li> <li>* In case of separation of parents: No child under 5 years old shall be separated from his mother</li> </ul> <p>- Grandparents shall be consulted on important family questions but they shall not interfere in the exercise of parental authority by the parents.</p> <p>- The dependent, abandoned or neglected child may be transferred to the care of the Department of Social Welfare or a duly licensed child-caring institution. It shall be the duty of the Department of Social Welfare to make a case study of every child who is the subject of guardianship or custody proceedings and to submit its report and recommendations on the matter to the court for its guidance. The Department of Social Welfare shall intervene on behalf of the child if it finds, after its case study, that the petition for guardianship or custody should be denied.</p> <p>- Rights of the Parents</p> <ol style="list-style-type: none"> <li>a) Primary Right of Parents. - The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with the child's development, the primary right and obligation to provide for their upbringing.</li> <li>b) Right to Discipline Child. - Parents have the right to discipline the child as may be necessary for the formation of his good character, and may therefore require from him obedience to just and reasonable rules, suggestions and admonitions.</li> </ol> <p>- Foster Homes - shall be chosen and supervised by the Department of Social Welfare or any duly licensed child placement agency when and as the need therefore arises. They shall be run by married couples, to be licensed only after thorough investigation of their character, background, motivation and competence to act as foster parents.</p> <p>- Institutional Care - no child below nine years of age shall be placed in an institution. An older child may be taken into an institution for child care if a thorough social case study indicates that he will derive more benefit there from.</p> <p>- Treatment of Child Under Foster Care - A child under foster care shall be given, as much as possible, the affection and understanding that his own parents, if alive or present, would or should have extended to him. Foster care shall take into consideration the temporary nature of the placement and shall not alienate the child from his parents.</p>
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			<p>- Child and Youth Welfare and Education</p> <p>* Access to Educational Opportunities</p> <p>a) Admission to Schools</p> <p>1 No Child is refused admission in public schools</p> <p>2 All parents are required to enroll their children in schools to complete, at least, an elementary education</p> <p>b) Public Nursery and kindergarten schools</p> <p>c) Special classes to PWDs</p> <p>d) School environment is free from hazards to the health and safety of the students; adequate safety measures</p> <p>* The Home &amp; The School</p> <p>a) Role of the Home - The home shall fully support the school in the implementation of the total school program - curricular and co-curricular - toward the proper physical, social, intellectual and moral development of the child</p> <p>b) Parent – Teacher Associations - provision of forums for the discussion of problems and their solutions, relating to the total school program, and for insuring the full cooperation of parents in the efficient implementation of such program</p> <p>c) No school shall receive or collect from students, directly or indirectly, except those provided by the law and on occasions of national or local disasters</p> <p>- Child &amp; Youth Welfare &amp; The Church</p> <p>a) Rights of the Church - The State shall respect the rights of the Church in matters affecting the religious and moral upbringing of the child</p> <p>b) All churches and religious orders may establish schools for the purpose of educating children in accordance with the tenets of their religion</p> <p>c) All churches may offer religious instruction in public and private elementary and secondary schools, subject to the requirements of the Constitution and existing laws.</p> <p>d) Parents shall admonish their children to heed the teachings of their Church and to perform their religious duties</p> <p>- Child &amp; Youth Welfare &amp; The Community</p> <p>a) Community - he local government, together with the society of individuals or institutions, both public and private, in which a child lives</p> <p>b) Duties of the Community:</p> <p>i. Bring about a healthy environment necessary to the normal growth of children and the enhancement of their physical, mental and spiritual well-being</p> <p>ii. Help institutions of learning, whether public or private, achieve the fundamental objectives of education</p> <p>iii. Organize or encourage movements and activities, for the furtherance of the interests of children and youth</p>
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			<ul style="list-style-type: none"> <li>iv. Promote the establishment and maintenance of adequately equipped playgrounds, parks, and other recreational facilities</li> <li>v. Support parent education programs by encouraging its members to attend and actively participate therein</li> <li>vi. Assist the State in combating and curtailing juvenile delinquency and in rehabilitating wayward children</li> <li>vii. Aid in carrying out special projects for the betterment of children in the remote areas or belonging to cultural minorities or those who are out of school</li> <li>viii. Cooperate with private and public child welfare agencies in providing care, training and protection to destitute, abandoned, neglected, abused, handicapped and disturbed children</li> </ul> <p>- Community Bodies Dealing with Child Welfare</p> <p>1 Barangay Councils</p> <ul style="list-style-type: none"> <li>a) Council for the Protection of Children – establishment in every barangay <ul style="list-style-type: none"> <li>i. Foster the education of every child in the barangay</li> <li>ii. Encourage the proper performance of the duties of parents, and provide learning opportunities on the adequate rearing of children and on positive parent-child relationship</li> <li>iii. Protect and assist abandoned or maltreated children and dependents</li> <li>iv. Take steps to prevent juvenile delinquency and assist parents of children with behavioral problems so that they can get expert advise</li> <li>v. Adopt measures for the health of children</li> <li>vi. Promote the opening and maintenance of playgrounds and day-care centers and other services that are necessary for child and youth welfare</li> <li>vii. Coordinate the activities of organizations devoted to the welfare of children and secure their cooperation</li> <li>viii. Promote wholesome entertainment in the community, especially in movie houses</li> <li>ix. Assist parents, whenever necessary in securing expert guidance counseling from the proper governmental or private welfare agency</li> <li>x. Hold classes and seminars on the proper child –rearing for the parents</li> </ul> </li> <li>b) Barangay Scholarships for indigent children</li> <li>c) Youth Associations in Barangays</li> </ul> <p>2 Civic Association of Adults - any club, organization or association of individuals twenty-one years of age or over, which is directly or indirectly involved in carrying out child welfare programs and activities</p> <ul style="list-style-type: none"> <li>a) The Board of Censors or the Radio Control Board may, upon representation of any civic association, prohibit any movie, television or radio program offensive to the proprieties of language and behavior.</li> <li>b) Any complaint against child welfare agency may be brought to Council for the Protection of Children or the Department of Social Welfare</li> </ul> <p>3 Youth Associations - any club, organization or association of individuals below twenty-one years of age which is directly or indirectly involved in carrying out child or youth welfare programs and activities</p> <p>* All youth associations shall enjoy the same rights and discharge the same responsibilities as civic associations</p>
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			<p>as may be permitted under existing laws</p> <p>* All student organization in public or private schools shall include in their objectives the cultivation of harmonious relations among their members and with the various segments of the community</p> <p>- Collaboration between the Home and the Community</p> <p>* The home shall aid the community in maintaining an atmosphere conducive to the proper upbringing of children, particularly with respect to their preparation for adult life and the conscientious discharge of their civic duties as a whole</p> <p>- Child and Youth Welfare and The Samahan</p> <p>1 Samahan - refer to the aggregate of persons working in commercial, industrial, and agricultural establishments or enterprises, whether belonging to labor or management</p> <p>2 Duties of the Samahan</p> <p>a) Prevent the employment of children in any kind of occupation or calling which is harmful to their normal growth and development</p> <p>b) Forestall their exploitation by insuring that their rates of pay, hours of work and other conditions of employment are in accordance not only with law but also with equity</p> <p>c) Give adequate protection from all hazards to their safety, health, and morals, and secure to them their basic right to an education</p> <p>d) Help out-of-school youth to learn and earn at the same time by helping them look for opportunities to engage in economic self-sufficient projects</p> <p>e) To coordinate with vocational and handicraft classes in all schools and agencies in the barangay, municipality or city to arrange for possible marketing of the products or articles made by the students</p> <p>f) Provide work experience, training and employment in those areas where the restoration and conservation of our natural resources is deemed necessary</p> <p>- Working Children</p> <p>* Children below sixteen years of age may be employed to perform light work which is not harmful to their safety, health or normal development and which is not prejudicial to their studies</p> <p>- Labor Management Projects</p> <p>* Right to Self – Organization: Working children shall have the same freedoms as adults to join the collective bargaining union of their own choosing in accordance with existing law</p> <p>* Educational Assistance Programs: he management may allow time off without loss or reduction of wages for working children with special talents to enable them to pursue formal studies in technical schools on scholarships financed by management or by the collective bargaining union or unions</p>
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			<p>- Collaboration between the Home and the Samahan</p> <p>* The home shall assist the Samahan in the promotion of the welfare of working children and for this purpose shall:</p> <ol style="list-style-type: none"> <li>1 Instill in the hearts and minds of working children the value of dignity of labor</li> <li>2 Stress the importance of the virtues of honesty; diligence and perseverance in the discharge of their duties</li> <li>3 Counsel them on the provident use of the fruits of their labor for the enrichment of their lives and the improvement of their economic security</li> <li>4 Protect their general well-being against exploitation by management or unions as well as against conditions of their work prejudicial to their health, education, or morals.</li> </ol> <p>- Child and Youth Welfare and the State</p> <p>* Classifications of Child and Youth Welfare Agencies</p> <ol style="list-style-type: none"> <li>1 A child – caring institution:       <ol style="list-style-type: none"> <li>a) Provides 24 hour resident group care service</li> <li>b) Primary purpose is education</li> </ol> </li> <li>2 A detention home is a 24-hour child-caring institution providing short term resident care for youthful offenders who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction</li> <li>3 A shelter – care institution provides temporary protection and care to children requiring emergency reception as a result of fortuitous events, abandonment by parents, dangerous conditions of neglect or cruelty in the home, being without adult care because of crisis in the family, or a court order holding them as material witnesses</li> <li>4 Receiving Homes: family-type homes which provides temporary shelter from 10 to 20 days for children who shall during this period be under observation and study for eventual placement by the Department of Social Welfare       <ol style="list-style-type: none"> <li>a) Number of children in a receiving home shall not exceed to 9, and no more than two of them shall be under 3 y/o</li> </ol> </li> <li>5 Nursery: child-caring institution that provides care for six or more children below six years of age for all or part of a twenty-four hour day, except those duly licensed to offer primarily medical and educational services</li> <li>6 Maternity Home: primary function is to give shelter and care to pregnant women and their infants before, during and after delivery</li> <li>7 Rehabilitation Center: an institution that receives and rehabilitates youthful offenders or other disturbed children</li> <li>8 Reception and Study Center: an institution that receives for study, diagnosis, and temporary treatment, children who have behavioral problems for the purpose of determining the appropriate care for them or recommending their permanent treatment or rehabilitation in other child welfare agencies</li> <li>9 Child-placing agency: an institution or person assuming the care, custody, protection and maintenance of</li> </ol>
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			<p>children for placement in any child-caring institution or home or under the care and custody of any person or persons for purposes of adoption, guardianship or foster care. The relatives of such child or children within the sixth degree of consanguinity or affinity are excluded from this definition</p> <p>- Child-caring institution serving as Child-Placement Agency: An association or corporation may be both a child-caring institution and a child-placement agency and it may be licensed to carry out both types of service</p> <p>- Intake study and Periodic Investigations</p> <ol style="list-style-type: none"> <li>a) Home Atmosphere</li> <li>b) Adequate Diet</li> <li>c) Clothing</li> <li>d) Physical Surroundings and Outings (adequate ventilation and sanitation, and with a safe, clean and spacious playground)</li> <li>e) Medical and Nursing Care</li> <li>f) Religious Training</li> <li>g) Annual Report to Dept. of Social Welfare</li> </ol> <p>- Collaboration between the Home and the State</p> <ol style="list-style-type: none"> <li>1 Healthy growth of Children - Pursuant to its obligation to assist the parents in the proper upbringing of the child, the State shall, whenever possible, in collaboration and cooperation with local government establish:       <ol style="list-style-type: none"> <li>a) Puericulture or Health centers: Puericulture or health centers shall be established in every barangay to perform, among other things, the following functions:           <ol style="list-style-type: none"> <li>i. Disseminate information concerning the health of children and expectant or nursing mothers</li> <li>ii. Provide consultation service and treatment, whenever necessary, for the children and the expectant or nursing mothers</li> <li>iii. Provide guidance and special treatment to children with physical handicap</li> <li>iv. Advise child welfare institutions on matters relating to nutrition and hygiene.</li> </ol> </li> <li>b) Juvenile and Domestic Relations Court: established in every province or city to hear and decide cases involving juvenile and domestic problems</li> <li>c) Regional Child Welfare Agencies</li> <li>d) Children's reading and Recreation Centers: establish in every barangay reading centers and recreation centers where children may meet and play together for their healthy growth and their social and cultural development</li> </ol> </li> <li>2 Parent Education program: The Department of Social Welfare shall from time to time hold a Parent Education Congress, which shall aim to enable parents to understand child growth and development, parent-child relationship, family life, and family-community relationship, and to improve their ability to discharge their duties</li> </ol>
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			<p>3 Curfew Hours for children: City or municipal councils may prescribe such curfew hours for children as may be warranted by local conditions. The duty to enforce curfew ordinances shall devolve upon the parents or guardians and the local authorities.</p> <p>* Any parent or guardian found grossly negligent in the performance of the duty imposed by this article shall be admonished by the Department of Social Welfare or the Council for the Protection of Children.</p> <p>4 State Aid in Case of Public Calamity: The Department of Social Welfare shall take immediate custody of dependent children and give temporary shelter to orphaned or displaced children (who are separated from their parents or guardian)</p> <p>- Special Categories of Children</p> <p>a) Dependent Child: one who is without a parent, guardian or custodian; or one whose parents, guardian or other custodian for good cause desires to be relieved of his care and custody; and is dependent upon the public for support</p> <p>b) Abandoned Child: one who has no proper parental care or guardianship, or whose parents or guardians have deserted him for a period of at least 6 continuous months</p> <p>c) Neglected Child: one whose basic needs have been deliberately unattended or inadequately attended. Neglect may occur in two ways:</p> <p>i. Physical Neglect - the child is malnourished, ill clad and without proper shelter; A child is unattended when left by himself without provisions for his needs and/or without proper supervision</p> <p>ii. Emotional Neglect Exists - when children are maltreated, raped or seduced; when children are exploited, overworked or made to work under conditions not conducive to good health; or are made to beg in the streets or public places, or when children are in moral danger, or exposed to gambling, prostitution and other vices</p> <p>d) Mentally Retarded Children</p> <p>i. Social incompetent - socially inadequate and occupationally incompetent and unable to manage their own affairs</p> <p>ii. Mentally subnormal</p> <p>iii. Retarded intellectually from birth or early age</p> <p>iv. Retarded at maturity</p> <p>v. Mentally deficient as a result of constitutional origin, through hereditary or disease</p> <p>vi. Essentially incurable</p> <p>* Classification of Mental retardation</p> <p>1 Custodial Group - severely or profoundly retarded, hence, the least capable group. This includes those with I.Q.s to 25</p> <p>2 Trainable Group –</p> <p>i. I.Q.s from about 25 to about 50</p> <p>ii. mental level and rate of development which is 1/4 to 1/2 that of the average child</p>
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			<ul style="list-style-type: none"> <li>iii. unable to acquire higher academic skills, but can usually acquire the basic skills for living to a reasonable degree</li> <li>iv. He can likewise attain a primary grade level of education if he receives effective instruction</li> </ul> <p><b>3 Educable Group –</b></p> <ul style="list-style-type: none"> <li>i. This group’s I.Q. ranges from about 50 to about 75</li> <li>ii. the intellectual development is approximately 1/2 to 3/4 of that expected of a normal child of the same chronological age</li> <li>iii. The degree of success or accomplishment that they will reach in life depends very much on the quality and type of education they receive, as well as on the treatment at home and in the community</li> <li>iv. may reach 5th or 6th grade educational level and can develop occupational skills which may result in partial or complete economic independence in adulthood</li> </ul> <p><b>4 Borderline or Low Normal Group</b></p> <ul style="list-style-type: none"> <li>i. Highest group of mentally retarded</li> <li>ii. IQ – 75 to 89</li> <li>iii. slightly retarded and they can usually get by in regular classes if they receive some extra help, guidance and consideration spend much more time with their studies than do most children in order to pass</li> </ul> <ul style="list-style-type: none"> <li>e) Physically Handicapped children - those who are crippled, deaf-mute, blind, or otherwise defective which restricts their means of action on communication with others</li> <li>f) Emotionally Disturbed Children - those who, although not afflicted with insanity or mental defect, are unable to maintain normal social relations with others and the community in general due to emotional problems or complexes</li> <li>g) Mentally Ill Children - those with any behavioral disorder, whether functional or organic, which is of such a degree of severity as to require professional help or hospitalization</li> <li>h) Disabled children - include mentally retarded, physically handicapped, emotionally disturbed, and severe mentally ill children</li> </ul> <p>- Commitment or surrender of a child is the legal act of entrusting a child to the care of the Department of Social Welfare or any duly licensed child placement agency or individual</p> <ul style="list-style-type: none"> <li>a) Involuntary commitment - in case of a dependent child, or through the termination of parental or guardianship rights by reason of abandonment, substantial and continuous or repeated neglect and/or parental incompetence to discharge parental responsibilities, and in the manner, form and procedure hereinafter prescribed</li> <li>b) Voluntary Commitment - through the relinquishment of parental or guardianship rights in the manner and form hereinafter prescribed</li> </ul> <p>- Petition for Involuntary Commitment of a Child</p> <p><b>1 Venue:</b> The petition shall be filed with the Juvenile and Domestic Relations Court, if any, or with the Court</p>
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			<p>of First Instance of the province or City Court in which the parents or guardian resides or the child is found</p> <p>2 Contents of Petition: Verification</p> <p>a) The facts showing that the child is dependent, abandoned, or neglected</p> <p>b) The names of the parent or parents, if known, and their residence. If the child has no parent or parents living, then the name and residence of the guardian, if any</p> <p>c) The name of the duly licensed child placement agency or individual to whose care the commitment of the child is sought</p> <p>3 Court to Set Time for Hearing: Summons - If it appears from the petition that one or both parents of the child, or the guardian, resides in province or city, the clerk of court shall immediately issue summons, together with a copy of the petition, which shall be served on such parent or guardian not less than two days before the time fixed for the hearing.</p> <p>4 When Summons shall NOT be Issued - both parents of the child are dead or that neither parent can be found in the province or city and that the child has no guardian residing therein</p> <p>5 Representation of Child: If it appears that neither of the parents nor the guardian of the child can be found in the province or city, it shall be the duty of the court to appoint some suitable person to represent him</p> <p>6 Hearing:</p> <p>a) The child shall be brought before the court, which shall investigate the facts and ascertain whether he is dependent, abandoned or neglected</p> <p>b) Failure to provide for the child's support for a period of 6 months shall be presumptive evidence of the intent of abandon</p> <p>7 Commitment of Child - If, after the hearing, the child is found to be dependent, abandoned, or neglected, an order shall be entered committing him to the care and custody of the Department of Social Welfare or any duly licensed child placement agency or individual</p> <p>8 When Child May Stay in His Own Home — the court may permit the child to stay in his own home and under the care and control of his own parents or guardian, subject to the supervision and direction of the Department of Social Welfare</p> <p>9 Termination of Rights of parents — when the child is committed to DSWD or any child-caring institutions, parents/guardians have no authority over him</p> <p>10 Authority of Person, Agency or Institution — the DSW or any duly licensed child placement agency shall be the legal guardian</p> <p>11 Change of Custody for the best interests of the child</p> <p>12 Voluntary commitment of a child to an institution</p> <p>13 Commitment must be in writing</p> <p>- Petition for Commitment - The Department of Social Welfare, or any duly licensed child placement agency or individual shall have the authority to file a petition for commitment of a disabled child to any reputable institution providing care, training and rehabilitation for disabled children</p>
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			<p>1 Venue: Juvenile and Domestic Relations Court</p> <p>2 Contents of Petition:</p> <ol style="list-style-type: none"> <li>a) The facts showing that the child appears to be mentally retarded, physically handicapped, emotionally disturbed or mentally ill and needs institutional care</li> <li>b) The Fact that the parents or guardians or any duly licensed disabled child placement agency, as the case may be, has opposed the commitment of such child</li> <li>c) The name of the parents and their residence, if known or if the child has no parents or parent living, the names and residence of the guardian, if any</li> <li>d) The name of the institution where the child is to be committed</li> </ol> <p>- Youthful Offender</p> <p>* One who is over nine years but under twenty-one years of age at the time of the commission of the offense</p> <p>* A child nine years of age or under at the time of the offense shall be exempt from criminal liability and shall be committed to the care of his or her father or mother, or nearest relative or family friend in the discretion of the court and subject to its supervision.</p> <p>* The same shall be done for a child over nine years and under fifteen years of age at the time of the commission of the offense, unless he acted with discernment</p> <p>- Care of Youthful Offender Held for Examination or Trial</p> <ol style="list-style-type: none"> <li>1 Committed to the care of the department of Social Welfare/local rehab center/detention home</li> <li>2 The provincial, city and municipal shall provide quarters for youthful offenders separate from other detainees</li> <li>3 May be released in the custody of parents or other suitable persons</li> </ol> <p>* the above mentioned are responsible for his appearance in court, whenever required</p> <ol style="list-style-type: none"> <li>a) Civil Liability of Youthful Offenders - The civil liability for acts committed by a youthful offender shall devolve upon the offender's father and, in case of his death or incapacity, upon the mother, or in case of her death or incapacity, upon the guardian. Civil liability may also be voluntarily assumed by a relative or family friend of the youthful offender.</li> </ol> <p>- Council for the Welfare of Children and Youth</p> <p>* Creation of the Council for the Welfare of Children:</p> <ol style="list-style-type: none"> <li>a) Secretary of Social Welfare (Chairman)</li> <li>b) Secretary of Justice</li> <li>c) Secretary of Labor</li> <li>d) Secretary of Educations and Culture</li> <li>e) Secretary of Health</li> <li>f) Presiding judge of the Juvenile and Domestic Relations Court</li> </ol>
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			<p>g) City of Manila</p> <p>h) 2 representatives of voluntary welfare associations to be appointed by the President of the Phil, each of whom shall hold office for a term of 2 years</p> <p>- Powers and Functions:</p> <p>* The Council for the Welfare of Children and Youth shall have the following powers and functions:</p> <ol style="list-style-type: none"> <li>1 To coordinate the implementation and enforcement of all laws relative to the promotion of child and youth welfare</li> <li>2 To prepare, submit to the President and circulate copies of long-range programs and goals for the physical, intellectual, emotional, moral, spiritual, and social development of children and youth, and to submit to him an annual report of the progress thereof</li> <li>3 To formulate policies and devise, introduce, develop and evaluate programs and services for the general welfare of children and youth</li> <li>4 To call upon and utilize any department, bureau, office, agency, or instrumentality, public, private or voluntary, for such assistance as it may require in the performance of its functions</li> <li>5 Perform such other functions as provided by law.</li> </ol>
RA 6655	“Free Public Secondary Education Act of 1988”	Approved: May 26, 1988	<p>An Act Establishing and Providing For A Free Public Secondary Education</p> <p>- Free Public Secondary Education - means that the students enrolled in secondary course offerings in national high schools, general comprehensive high schools, trade, technical, vocational, fishery and agricultural schools, and in schools established, administered, maintained and funded by local government units, including city, provincial municipal and barangay high schools, and those public high schools which may be established by law, shall be free from payment of tuition and other schools fees</p> <p>- Tuition Fee - refers to the fee representing direct costs of instruction, training and other related activities and for the students' use of the instruction and training facilities</p> <p>- Other School Fees - refer to those fees which cover the other necessary costs supportive of instruction, including but not limited to medical and dental, athletic, library, laboratory and Citizens Army Training (CAT) fees.</p> <p>* Fees elated to membership in the school community such as identification cards, student organizations and publications may be collected, provided that nonpayment to these fees shall not in any case be a bar to the enrollment or graduation of any student.</p> <p>- Formulation of a Secondary Education Curriculum must include vocational and technical courses that will give the students gainful employment</p>

			<p>- Limitation - The right of any student to avail of free public high school shall terminate if he fails for two (2) consecutive school years in the majority of the academic subjects in which he is enrolled during the course of his study unless such failure is due to some valid cause</p> <p>- Priority in Admission: Graduates of public elementary schools in a municipality</p>
	<p>“United Nation Conventions on the Right of the Childs” (UN-CRC)</p>	<p>Entered into force: September 2, 1990</p>	<p>Article 1: CHILD - a person below the age of 18</p> <p>Article 2: Non-discrimination</p> <p>Article 3: Best interest of the child should be the primary concern in decision-making.</p> <p>Article 4: Protection of Rights - Governments have a responsibility to take all available measures to make sure children’s rights are respected, protected, and fulfilled.</p> <p>Article 5: Parental Guidance  - Encourages parents to deal with right issues “in a manner consistent with the evolving capacities of the child  - Gov’t has the responsibility to protect and to assist the families in fulfilling their essential roles as “Nurturers of Children.”</p> <p>Article 6: Survival &amp; Development</p> <p>Article 7: Registration, Name, Nationality, Care</p> <p>Article 8: Preservation of Identity</p> <p>Article 9: Separation from parents, when situations are unhealthy to them</p> <p>Article 10: Family reunification</p> <p>Article 11: Kidnapping - concerned with parental abductions for financial gain</p> <p>Article 12: Respect for the views of the child - Child has the right to express their own opinions</p> <p>Article 13: Freedom of Expression - children have the right to get and share information, as long as the information is not damaging to them or others</p> <p>Article 14: Freedom of thought, conscience and religion - children’s right to examine their beliefs, but it implies respect for the rights and freedoms of others</p>

			<p>Article 15: Freedom of Association</p> <p>Article 16: Right to Privacy</p> <p>Article 17: Access to information; Mass Media</p> <p>Article 18: Parental Responsibilities; State Assistance</p> <p>Article 19: Protection form all forms of Violence - Any form of discipline that involves violence is unacceptable</p> <p>Article 20: Children deprived of family environment - right to special care and must be looked properly, by people who respect their ethnic group, religion, language, religion and culture</p> <p>Article 21: Adoption - the 1<sup>st</sup> concerns is what is best for them</p> <p>Article 22: Refugee Children - right to special protection - Refugees — forced to leave their home and live in an another country</p> <p>Article 23: Children with Disabilities</p> <p>Article 24: Health &amp; Health Services</p> <p>Article 25: Review of Treatment in Care - should be based on the “best interest of the child”</p> <p>Article 26: Social Security</p> <p>Article 27: Adequate Standard of Living - Right to a standard of living that is good enough to meet their physical and mental needs.</p> <p>Article 28. Right to Education</p> <p>Article 29: Goals of Education - Develop child’s personality, talents, and abilities to the fullest - Encourage children to respect others, human rights, and their own and other cultures - Help them to learn to live peacefully, protect the environment and respect other people</p>
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			<p>Article 30: Children of minorities/indigenous groups - right to practice their own culture, language and religion</p> <p>Article 31: Leisure, play &amp; culture</p> <p>Article 32: Child Labour - the task that they do should be safe and suited to their level of development and comply with national labour laws * Should not jeopardize any of their other rights – right to education, and right to relaxation and play</p> <p>Article 33: Drug abuse - Gov't should use all means to protect children from the use of harmful drugs and from being used in drug trade</p> <p>Article 34: Sexual Exploitation - protect children from all forms of sexual exploitation and abuse</p> <p>Article 35: Abduction, sale and trafficking</p> <p>Article 36: Other forms of exploitation</p> <p>Article 37: Detention &amp; Punishment - No one is allowed to punish children in a cruel or harmful way. They should not be put in prison with adults, should be able to contact with their families, and should not be sentenced to death or life imprisonment without possibility of release</p> <p>Article 38: War and Armed Conflicts - Children under 15 should not be forced or recruited to take part in a war or join the armed groups</p> <p>Article 39: Rehabilitation of Child Victims - Restoring the health, self- respect and dignity of the child</p> <p>Article 40: Juvenile Justice - Right to legal and help in a fair justice system that respects their rights</p> <p>Article 41: Respect for superior national standards - If the laws of a country better provide better protection of rights than the articles of this Convention, those laws should apply</p> <p>Article 42: Knowledge of Rights</p> <p>Article 43 – 45: Implementation and measures</p>
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			<ul style="list-style-type: none"> <li>- Children's rights milestones</li> <li>* 1924 - Geneva Declaration of the Rights of the Child adopted by the League of Nations</li> <li>* 1948 - Universal Declaration of Human Rights adopted by the UN</li> <li>* 1959 - Declaration of the Rights of the Child adopted by the UN</li> <li>* 1979 - International Year of the Child</li> <li>* 1989 - Convention on the Rights of the Child adopted by the UN</li> <li>* 1990 - World Summit for Children held at the UN</li> <li>* 1991 - UK ratified the UNCRC</li> <li>* 2000 - Optional protocols to the CRC are adopted by the UN, specifically On the Involvement of Children in Armed Conflicts, and On the Sale of Children, Child Prostitution and Child Pornography.</li> <li>* 2002 - A World Fit for Children is agreed to as a consensus document at the United Nations General Assembly Special Session for Children.</li> </ul>
RA 6972	"Barangay-Level Total Development and Protection of Children Act"	Approved: November 23, 1990	<p>An Act Establishing A Day Care Center in Every Barangay, Instituting therein A Total Development and Protection of Children Program</p> <ul style="list-style-type: none"> <li>- Provided for children up to 6 years old with consent of parents</li> <li>- Program Framework: <ul style="list-style-type: none"> <li>a) Monitoring of birth registrations and completion of immunizations</li> <li>b) Growth &amp; nutritional monitoring (Supplementary Feeding in school and nutritional intake at home)</li> <li>c) Care for children of working mothers during the day and, where feasible, care for children up to six (6) years of age when mother are working at night.</li> <li>d) Materials and networks of surrogate mothers-teachers who will provide intellectual and mental stimulation to children</li> <li>e) day care center may call upon law enforcement agencies when the child needs to be rescued from unbearable home situation</li> <li>f) the day care center shall be alert to illegal abortions and incompetent and untrained hilots so that they are provided the needed basic training for normal delivery and are trained to recognize high-risk pregnancies which should be referred to competent obstetrical and pediatric medical care for mother and child who are at risk</li> <li>g) A support system and network of assistance from among the members of the barangay for the total development and protection of children.</li> </ul> </li> <li>- The program shall be implemented by the barangay.</li> <li>- Functions of DSWD: <ul style="list-style-type: none"> <li>a) Formulate the criteria for the selection, qualifications, training and accreditation of barangay day care</li> </ul> </li> </ul>

			<p>workers and the standards for the implementation of the total development and protection of children program</p> <p>b) Coordinate activities of non-government organizations with the day care workers and other social workers of the Department in order that their services may be fully utilized for the attainment of the program goals</p> <p>c) Protection and assist abused, neglected or exploited children and secure proper government assistance for said children</p> <p>- The establishment, maintenance, and operation of barangay day care centers shall be funded from the National Budget</p> <p>- LGU's shall provide financial assistance for its establishment Brgy. Day Care workers shall receive a monthly allowance not less than P500, to be charged from DSWD</p>
RA 7610	"Social Protection of Children Against Abuse, Exploitation and Discrimination Act"	Approved: June 17, 1992	<p>An Act Providing Stronger Deterrence and Special Protection, Providing Penalties for its Violation</p> <p>- Children: persons below 18 years old</p> <p>- Child Abuse: maltreatment, whether habitual or not, of the child w/c includes any of the ff:</p> <p>a) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment</p> <p>b) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being</p> <p>c) Unreasonable deprivation of his basic needs for survival, such as food and shelter</p> <p>d) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity or death</p> <p>- Circumstances which gravely threaten or endanger the survival and normal development of children" include, but are not limited to, the following;</p> <ol style="list-style-type: none"> <li>1 Being in a community where there is armed conflict or being affected by armed conflict-related activities</li> <li>2 Working under conditions hazardous to life, safety and normal which unduly interfere with their normal development;</li> <li>3 Living in or fending for themselves in the streets of urban or rural areas without the care of parents or a guardian or basic services needed for a good quality of life</li> <li>4 Being a member of an indigenous cultural community and/or living under conditions of extreme poverty or in an area which is underdeveloped and/or lacks or has inadequate access to basic services needed for a good quality of life</li> <li>5 Being a victim of a man-made or natural disaster or calamity</li> <li>6 Circumstances analogous to those abovestated which endanger the life, safety or normal development of children.</li> </ol>

			<p>- Comprehensive program against child abuse, exploitation and discrimination" refers to the coordinated program of services and facilities to protected children against:</p> <ol style="list-style-type: none"> <li>1 Child Prostitution and other sexual abuse</li> <li>2 Child trafficking</li> <li>3 Obscene publications and indecent shows</li> <li>4 Other acts of abuses</li> <li>5 Circumstances which threaten or endanger the survival and normal development of children. lawphiY</li> </ol> <p>- Child Prostitution &amp; Other Sexual Abuse</p> <p>* Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.</p> <p>* Penalty of reclusion temporal in its medium period to reclusion perpetua:</p> <ol style="list-style-type: none"> <li>a) Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to, the following: <ol style="list-style-type: none"> <li>1 Acting as a procurer of a child prostitute</li> <li>2 Inducing a person to be a client of a child prostitute by means of written or oral advertisements or other similar means</li> <li>3 Taking advantage of influence or relationship to procure a child as prostitute</li> <li>4 Threatening or using violence towards a child to engage him as a prostitute</li> <li>5 Giving monetary consideration goods or other pecuniary benefit to a child with intent to engage such child in prostitution.</li> </ol> </li> <li>b) Those who commit the act of sexual intercourse of lascivious conduct with a child exploited in prostitution or subject to other sexual abuse</li> <li>c) Those who derive profit or advantage therefrom, whether as manager or owner of the establishment where the prostitution takes place</li> </ol> <p>- Attempt to Commit Child Prostitution:</p> <ol style="list-style-type: none"> <li>1 Any person who, not being a relative of a child, is found alone with the said child inside any secluded or hidden area under circumstances w/c would lead a reasonable person t believe that the child is about to be exploited in prostitution &amp; other sexual abuse</li> <li>2 any person receiving services from a child</li> </ol> <p>- Child Trafficking</p> <p>* Any person who shall engage in trading and dealing with children including, but not limited to, the act of buying and selling of a child for money, or for any other consideration, or barter, shall suffer the penalty of reclusion temporal to reclusion perpetua. The penalty shall be imposed in its maximum period when the victim is under twelve (12) years of age.</p>
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			<p>- Attempt to Commit Child Trafficking</p> <ol style="list-style-type: none"> <li>a) When a child travels alone to a foreign country without valid reason therefor and without clearance issued by the Department of Social Welfare and Development or written permit or justification from the child's parents or legal guardian</li> <li>b) When a person, agency, establishment or child-caring institution recruits women or couples to bear children for the purpose of child trafficking</li> <li>c) When a doctor, hospital or clinic official or employee, nurse, midwife, local civil registrar or any other person simulates birth for the purpose of child trafficking</li> <li>d) When a person engages in the act of finding children among low-income families, hospitals, clinics, nurseries, day-care centers, or other child-during institutions who can be offered for the purpose of child trafficking.</li> </ol> <p>- Obscene Publications &amp; Indecent Shows</p> <p>* Any person who shall hire, employ, use, persuade, induce or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, or model in obscene publications or pornographic materials or to sell or distribute the said materials shall suffer the penalty of prison mayor in its medium period.</p> <p>* If the child used as a performer, subject or seller/distributor is below twelve (12) years of age, the penalty shall be imposed in its maximum period.</p> <p>* Any ascendant, guardian, or person entrusted in any capacity with the care of a child who shall cause and/or allow such child to be employed or to participate in an obscene play, scene, act, movie or show or in any other acts covered by this section shall suffer the penalty of prison mayor in its medium period.</p> <p>- Other Acts of Abuse</p> <ol style="list-style-type: none"> <li>a) Any person who shall commit any other acts of child abuse, cruelty or exploitation or to be responsible for other conditions prejudicial to the child's development</li> <li>b) Any person who shall keep or have in his company a minor, twelve (12) years or under or who in ten (10) years or more his junior in any public or private place, hotel, motel, beer joint, discotheque, cabaret, pension house, sauna or massage parlor, beach and/or other tourist resort or similar places</li> <li>c) Any person who shall induce, deliver or offer a minor to keep or have in his company</li> <li>d) Any person, owner, manager or one entrusted with the operation of any public or private place of accommodation, who allows any person to take along with him to such place or places</li> <li>e) Any person who shall use, coerce, force or intimidate a street child or any other child to; <ol style="list-style-type: none"> <li>1 Beg or use begging as a means of living</li> <li>2 Act as conduit or middlemen in drug trafficking or pushing</li> <li>3 Conduct any illegal activities</li> </ol> </li> </ol>
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			<p>- Children of Indigenous Cultural Communities</p> <ol style="list-style-type: none"> <li>a) protection, survival and development consistent with the customs and traditions of their respective communities</li> <li>b) The Department of Education, Culture and Sports shall develop and institute an alternative system of education for children of indigenous cultural communities which culture-specific and relevant to the needs of and the existing situation in their communities</li> <li>c) Equal attention in delivering basic social services in health &amp; nutrition to children of indigenous cultural communities</li> <li>d) Non – discrimination; Any person who discriminate against children of indigenous cultural communities shall suffer a penalty of arresto mayor in its maximum period and a fine of not less than Five thousand pesos (P5,000) more than Ten thousand pesos (P10,000).</li> <li>e) Indigenous cultural communities, through their duly-designated or appointed representatives shall be involved in planning, decision-making implementation, and evaluation of all government programs affecting children of indigenous cultural communities. Indigenous institution shall also be recognized and respected.</li> </ol> <p>- Children in Situations of Armed Conflict</p> <p>* Children as Zones of Peace</p> <ol style="list-style-type: none"> <li>1 Children shall not be the object of attack and shall be entitled to special respect</li> <li>2 Children shall not be recruited to become members of the Armed Forces of the Philippines of its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, couriers, or spies</li> <li>3 Delivery of basic social services such as education, primary health and emergency relief services shall be kept unhampered</li> <li>4 The safety and protection of those who provide services including those involved in fact-finding missions from both government and non-government institutions shall be ensured. They shall not be subjected to undue harassment in the performance of their work</li> <li>5 Public infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments, and supply depots</li> <li>6 All appropriate steps shall be taken to facilitate the reunion of families temporarily separated due to armed conflict.</li> </ol> <p>* Children shall be given priority during evacuation as a result of armed conflict</p> <p>* Whenever possible, members of the same family shall be housed in the same premises and given separate accommodation from other evacuees and provided with facilities to lead a normal family life. In places of temporary shelter, expectant and nursing mothers and children shall be given additional food in proportion to their physiological needs. Whenever feasible, children shall be given opportunities for physical exercise, sports and outdoor games</p>
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			<p>* Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights</p> <ol style="list-style-type: none"> <li>a) Separate detention from adults except where families are accommodated as family units</li> <li>b) Immediate free legal assistance</li> <li>c) Immediate notice of such arrest to the parents or guardians of the child; and Release of the child on recognizance within twenty-four (24) hours to the custody of the Department of Social Welfare and Development or any responsible member of the community as determined by the court</li> </ol> <p>* Any child committed the acts shall be in custody or care of the DSWD or to any duly – licensed agencies or any other responsible person, until he has had reached 18 y/o</p> <p>- Remedial Procedures</p> <p>* Who may file a complaint:</p> <ol style="list-style-type: none"> <li>1 Offended party</li> <li>2 Parents/guardians</li> <li>3 Ascent or collateral relative w/in the 3<sup>rd</sup> degree of consanguinity</li> <li>4 Officer/ SW or representative of a licensed child – caring institution</li> <li>5 Officer or SW of the DSWD</li> <li>6 Barangay Chairman</li> <li>7 At least 3 concerned responsible citizens where the violation occurred</li> </ol>
RA 9231 (amendment ↑)	“Elimination of the Worst Forms of Child Labor Act”	Approved: December 19, 2003	<p>An Act Providing the Elimination of the Worst Forms of Child Labor And Affording Stronger Protection for the Working Child</p> <p>- Employment of Children - Children below fifteen (15) years of age shall not be employed except:</p> <ol style="list-style-type: none"> <li>1 When a child works directly under the sole responsibility of his/her parents or legal guardian and where only members of his/her family are employed: Provided, however, That his/her employment neither endangers his/her life, safety, health, and morals, nor impairs his/her normal development: Provided, further, That the parent or legal guardian shall provide the said child with the prescribed primary and/or secondary education; or</li> <li>2 Where a child's employment or participation in public entertainment or information through cinema, theater, radio, television or other forms of media is essential: Provided, That the employment contract is concluded by the child's parents or legal guardian, with the express agreement of the child concerned, if possible, and the approval of the Department of Labor and Employment: Provided, further, That the following requirements in all instances are strictly complied with: <ol style="list-style-type: none"> <li>a) The employer shall ensure the protection, health, safety, morals and normal development of the child;</li> <li>b) The employer shall institute measures to prevent the child's exploitation or discrimination taking into account the system and level of remuneration, and the duration and arrangement of working time; and</li> </ol> </li> </ol>

			<p>c) The employer shall formulate and implement, subject to the approval and supervision of competent authorities, a continuing program for training and skills acquisition of the child.</p> <p>- In the above-exceptional cases where any such child may be employed, the employer shall first secure, before engaging such child, a work permit from the Department of Labor and Employment which shall ensure observance of the above requirements.</p> <p>- Hours of Work of a Working Child -</p> <p>a) below 15 y.o.: 20hrs/week, 4hrs/day; not allowed to work between 8PM and 6AM of the following day</p> <p>b) 15 to below 18 yrs old: 40hrs/week, 8hrs/day; not allowed to work between 10PM and 6AM of the following day</p> <p>- Trust Fund - percent (30%) of the earnings of the child whose wages and salaries from work and other income amount to at least two hundred thousand pesos (P200,000.00)</p> <p>- Prohibition Against Worst Forms of Child Labor - No child shall be engaged in the worst forms of child labor. The phrase "worst forms of child labor" shall refer to any of the following:</p> <p>a) All forms of slavery, as defined under the "Anti-trafficking in Persons Act of 2003", or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including recruitment of children for use in armed conflict; or</p> <p>b) The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances; or</p> <p>c) The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and volatile substances prohibited under existing laws; or</p> <p>d) Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children</p> <p>- Who May File a Complaint - Complaints on cases of unlawful acts committed against children may be filed by:</p> <ol style="list-style-type: none"> <li>1 Offended party;</li> <li>2 Parents or guardians;</li> <li>3 Ascendant or collateral relative within the third degree of consanguinity;</li> <li>4 Officer, social worker or representative of a licensed child-caring institution;</li> <li>5 Officer or social worker of the Department of Social Welfare and Development;</li> <li>6 Barangay chairman of the place where the violation occurred, where the child is residing or employed; or</li> <li>7 At least three (3) concerned, responsible citizens where the violation occurred.</li> </ol>
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RA 8044	"Youth in Nation-Building Act"	Approved: June 7, 1995	<p>An Act Creating the National Youth Commission, Establishing A National Comprehensive Program on Youth Development</p> <p>- "<i>Youth</i>" is the critical period in a person's growth and development from the onset of adolescence towards the peak of mature, self-reliant and responsible adulthood comprising the considerable sector of the population from the age of fifteen (15) to thirty (30) years.</p> <p>- Chairman - not more than 45 y.o. at any time during the incumbency appointive commissioner; no more 40 y.o. at any time during the incumbency; both should be natural-born citizens of the Philippines; have occupied positions of responsibility and leadership duly registered and youth serving organizations or institutions of good moral character and have no criminal conviction or moral turpitude.</p> <p>- Delegates to the Youth Parliament shall be chosen by the Commission taking into consideration equal and geographical representation among men and women. All delegates shall be of good moral character, able to read and write, has not been convicted of any crime involving moral turpitude, and shall not be more than thirty (30) years of age on the day of election to the position by virtue of which he qualifies as a delegate and on the day the Parliament is convened. The delegates shall elect the President of the Youth Parliament who shall preside during the session of the Parliament.</p> <p>- National Comprehensive and Coordinated Program on Youth Development principles:</p> <ol style="list-style-type: none"> <li>1 Promotion and protection of the physical, moral, spiritual, intellectual and social well-being of the youth until youth realize their potential for improving the quality of life;</li> <li>2 Inculcation in the youth of patriotism, nationalism and other basic desirable values to infuse in them faith in the Creator, belief in the sanctity of life and dignity of the human person, conviction for the strength and unity of the family and adherence to truth and justice;</li> <li>3 Encouragement of youth involvement in character-building and development activities for civic efficiency, stewardship of natural resources, agricultural and industrial productivity, and participation in structures of policy-making and program implementation to reduce poverty and accelerate socioeconomic development; and</li> <li>4 Mobilization of youth's abilities, talents and skills and redirecting their creativity, inventive genius and wellspring of enthusiasm and hope for the freedom of our people from fear, hunger and injustice.</li> </ol> <p>- Programs and Services</p> <ol style="list-style-type: none"> <li>1 Scholarship and Exchange Program</li> <li>2 Sports and Recreation</li> <li>3 Livelihood Developments</li> <li>4 Training and Capability Building Programs</li> </ol>
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RA 8043	“Inter-Country Adoption Act of 1995”	Approved: June 7, 1995	<p>An Act Establishing the Rules to Govern Inter-Country Adoption of Filipino Children</p> <p>- The Inter-Country Adoption Process</p> <p>1 The adoption process begins with the application for adoption submitted to the ICAB. The PAP (prospective adoptive parent) may be an alien or a Filipino citizen permanently residing abroad. Adopter must:</p> <ol style="list-style-type: none"> <li>a) Be at least 27 years old and should at least be 16 years older than the child to be adopted at the time of application, unless the adopter is the biological parent of the child to be adopted or the spouse of such parent;</li> <li>b) If married, his/her spouse must jointly file the application for adoption;</li> <li>c) Have the capacity to act and assume all rights and responsibilities of parental authority under his national laws, and has undergone the appropriate counseling from an accredited counselor in his/her country;</li> <li>d) Have not been convicted of a crime involving moral turpitude;</li> <li>e) Eligible to adopt under his/her national law;</li> <li>f) In a position to provide the proper care and support and to give moral guidance to his children, the prospective adoptee included;</li> <li>g) Agree to uphold the basic rights of the child as embodied under the Philippine laws, the U.N. Convention on the Rights of the Child, and to abide by the rules and regulations issued to implement the provisions of this law</li> <li>h) A national of a country with whom the Philippines maintains diplomatic relations and whose government maintains a similarly authorized and accredited agency and that his/her national laws allows inter-country adoption;</li> <li>i) Possess all the foregoing qualifications and none of the disqualifications provided in other applicable Philippine laws.</li> </ol>

			<p>2 The Philippine government may however waive the foregoing requirements if PAP is:</p> <ol style="list-style-type: none"> <li>a) a former Filipino citizen seeking to adopt a relative within the fourth degree of consanguinity, as defined under Philippine law; or</li> <li>b) One seeking to adopt the legitimate son/daughter of his/her Filipino spouse; or</li> <li>c) Married to a Filipino and who seeks to adopt jointly with his/her spouse a relative within the fourth degree of consanguinity, as defined under Philippine law.</li> </ol> <p>3 With respect to the adoptee:</p> <ol style="list-style-type: none"> <li>a) Certification from the Department of Social Welfare and Development to Declare a Child Legally Available for Adoption - Only a child legally available for adoption may be the subject of inter-country adoption and that child cannot be adopted in the Philippines.</li> </ol> <p>*A child legally available for adoption — a child in whose favor a certification was issued by the Department of Social Welfare and Development (DSWD) that he/she is legally available for adoption after the fact of abandonment or neglect has been proven through the submission of pertinent documents.</p> <p>* Inter-country adoption is the last resort for a child to have a permanent family.</p> <p>4 The Adoption Process:</p> <ol style="list-style-type: none"> <li>a) The ICAB is expected to act upon the application within one (1) month from its receipt. Documents such as the Child Study and Home Study Reports, Birth or Foundling Certificate, Certification from the DSWD that the child is legally available for adoption must be submitted together with the application. Applications are reviewed and processed only when the required documents are completely submitted.</li> <li>b) Matching the prospective adoptive child with an applicant shall thereafter be carried out in a matching conference conducted by the ICAB. The process of matching entails the review of adoption dossiers, submission of matching proposals, and deliberations. Matching or child referral will depend largely on the stated child preference of the PAP. This usually takes two (2) to three (3) years after the approval of the matching proposal.</li> <li>c) Upon approval of a matching proposal, notice shall be given to the concerned Central Authority or foreign adoption agency. After the applicant has accepted the matching proposal, the ICAB shall issue a Placement Authority. The applicant is thereafter assessed for pre-adoptive placement fees. The amount varies from one child to another. Factors such as visa fees and medical examinations contribute to the variance in fees</li> </ol>
RA 8552	“Domestic Adoption Act of 1998”	Approved: February 25, 1998	<p>An Act Establishing the Rules and Policies on the Domestic Adoption of Filipino Children</p> <ul style="list-style-type: none"> <li>- In accordance with the UNCRC; UN Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children with Special Reference to Foster Placement and Adoption, Nationally and Internationally; and the Hague Convention on the Protection of Children and Cooperation in Respect of Inter country Adoption</li> <li>- Counseling Services for biological parent(s), prospective adoptive parent(s), and prospective adoptee</li> <li>- Who May Adopt?</li> </ul>

			<ol style="list-style-type: none"> <li>1 Any Filipino citizen, legal age, at least 16 years older than the adoptee (unless adopter is the biological parent of the adoptee, or is the spouse of the adoptee's parent), full civil capacity and legal rights, good moral character, has not been convicted of any crime involving moral turpitude, emotionally and psychologically capable of caring for children, and who is in a position to support and care for his/her children in keeping with the means of the family.</li> <li>2 Any alien possessing the same qualification as above stated for Filipino nationals: Provided, That his/her country has diplomatic relations with the Republic of the Philippines, that he/she has been living in the Philippines for at least 3 continuous years prior to the filing of the application for adoption and maintains such residence until the adoption decree is entered, that he/she has been certified by his/her diplomatic or consular office or any appropriate government agency that he/she has the legal capacity to adopt in his/her country, and that his/her government allows the adoptee to enter his/her country as his/her adopted son/daughter</li> </ol> <p>- The requirements on residency and certification of the alien's qualifications to adopt in his/her country may be waived for the following:</p> <ol style="list-style-type: none"> <li>1 a former Filipino citizen who seeks to adopt a relative within the 4th degree of consanguinity or affinity;</li> <li>2 seeks to adopt the legitimate son/daughter of his/her Filipino spouse;</li> <li>3 married to a Filipino citizen and seeks to adopt jointly with his/her spouse a relative within the fourth (4th) degree of consanguinity or affinity of the Filipino spouse;</li> <li>4 The guardian with respect to the ward after the termination of the guardianship and clearance of his/her financial accountabilities.</li> </ol> <p>- Husband and wife shall jointly adopt, except:</p> <ol style="list-style-type: none"> <li>1 if one spouse seeks to adopt the legitimate son/daughter of the other</li> <li>2 if one spouse seeks to adopt his/her own illegitimate son/daughter: Provided, however, That the other spouse has signified his/her consent thereto;</li> <li>3 if the spouses are legally separated from each other.</li> </ol> <p>- Who May Be Adopted:</p> <ol style="list-style-type: none"> <li>1 Below 18 y.o., declared available for adoption;</li> <li>2 The legitimate son/daughter of one spouse by the other spouse</li> <li>3 An illegitimate son/daughter by a qualified adopter to improve his/her status to that of legitimacy</li> <li>4 A person of legal age, if prior to the adoption, said person has been consistently considered and treated by the adopter(s) as his/her own child since minority;</li> <li>5 A child whose adoption has been previously rescinded; or</li> <li>6 A child whose biological or adoptive parent(s) has died: Provided, That no proceedings shall be initiated within 6 months from the time of death of said parent(s).</li> </ol>
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			<p>- Whose Consent is Necessary to the Adoption</p> <ol style="list-style-type: none"> <li>1 The adoptee, if 10 y.o. or over;</li> <li>2 The biological parent(s) of the child, if known, or the legal guardian, or the proper government instrumentality which has legal custody of the child;</li> <li>3 The legitimate and adopted sons/daughters, 10 y.o. or over, of the adopter(s) and adoptee, if any</li> <li>4 The illegitimate sons/daughters, 10 y.o. or over, of the adopter if living with said adopter and the latter's spouse, if any; and</li> <li>5 The spouse, if any, of the person adopting or to be adopted.</li> </ol> <p>- Important considerations in the procedure:</p> <ol style="list-style-type: none"> <li>1 Hurried decisions</li> <li>2 SW's case study of the adoptee, biological parents, and adoptive parents</li> </ol>
RA 9253 (amendment ↑&↑↑)		Approved: March 12, 2009	<p>An Act Requiring Certification of the DSWD to Declare A "Child Legally Available for Adoption" (DSWD-CDCLAA) As A Prerequisite for Adoption Proceedings</p> <p>- Definition of Terms:</p> <ol style="list-style-type: none"> <li>1 DSWD - is the agency charged to implement</li> <li>2 Child - below 18 y.o. or a person over 18 but is unable to fully take care of him/herself or protect himself/herself ...</li> <li>3 Abandoned Child refers to a child who has no proper parental care or guardianship, or whose parent(s) have deserted him/her for a period of at least three (3) continuous months, which includes a founding.</li> <li>4 Neglected Child refers to a child whose basic needs have been deliberately unattended or inadequately attended within a period of three (3) continuous months. Neglect may occur in two (2) ways: <ol style="list-style-type: none"> <li>a) There is physical neglect when the child is malnourished, ill-clad, and without proper shelter. A child is unattended when left by himself/herself without proper provisions and/or without proper supervision.</li> <li>b) There is emotional neglect when the child is maltreated, raped, seduced, exploited, overworked, or made to work under conditions not conducive to good health; or is made to beg in the streets or public places; or when children are in moral danger, or exposed to gambling, prostitution, and other vices.</li> </ol> </li> <li>5 Child Legally Available for Adoption - a child in whose favor a certification was issued by the DSWD that he/she is legally available for adoption after the fact of abandonment or neglect has been proven through the submission of pertinent documents, or one who was voluntarily committed by his/her parent(s) or legal guardian.</li> <li>6 Voluntarily Committed Child - one whose parent(s) or legal guardian knowingly and willingly relinquished parental authority to the DSWD or any duly accredited child-placement or child-caring agency or institution.</li> <li>7 Child-caring agency or institution - a private non-profit or government agency duly accredited by the DSWD that provides 24-hour residential care services for abandoned, neglected, or voluntarily committed children.</li> </ol>

			<p>8 Child-placing agency or institution - a private non-profit institution or government agency duly accredited by the DWSO that receives and processes applicants to become foster or adoptive parents and facilitate placement of children eligible for foster care or adoption.</p> <p>9 Petitioner - the head or executive director of a licensed or accredited child-caring or child-placing agency or institution managed by the government, local government unit, non-governmental organization, or provincial, city, or municipal Social Welfare Development Officer who has actual custody of the minor and who files a certification to declare such child legally available for adoption, or, if the child is under the custody of any other individual, the agency or institution does so with the consent of the child's custodian.</p> <p>10 Secretary - the Secretary of the DSWD or his duly authorized representative.</p> <p>11 Conspicuous Place shall - a place frequented by the public, where by notice of the petition shall be posted for information of any interested person.</p> <p>12 Social Case Study Report (SCSR) - a written report of the result of an assessment conducted by a licensed social worker as to the social-cultural economic condition, psychosocial background, current functioning and facts of abandonment or neglect of the child. The report shall also state the efforts of social worker to locate the child's biological parents/relatives.</p> <p>- The petition shall be supported by the following documents:</p> <ol style="list-style-type: none"> <li>1 Social Case Study Report</li> <li>2 Proof that efforts were made to locate the parent(s) or any known relatives of the child. The following shall be considered sufficient: <ol style="list-style-type: none"> <li>a) Written certification from a local or national radio or TV station that the case was aired on 3 different occasions;</li> <li>b) Publication in 1 newspaper of general circulation;</li> <li>c) Police report or barangay certification from the locality where the child was found or a certified copy of a tracing report issued by the Philippine National Red Cross (PNRC), National Headquarters (NHQ), Social Service Division, which states that despite due diligence, the child's parents could not be found; and</li> <li>d) Returned registered mail to the last known address of the parent(s) or known relatives, if any.</li> </ol> </li> <li>3 Birth certificate, if available; and</li> <li>4 Recent photograph of the child and photograph of the child upon abandonment or admission to the agency or institution.</li> </ol> <p>- The petition shall be filed in the regional office of the DSWD where the child was found or abandoned. The Regional Director shall examine the petition and its supporting documents, if sufficient in form and substance and shall authorize the posting of the notice of the petition conspicuous place for 5 consecutive days in the locality where the child was found. The Regional Director shall act on the same and shall render a recommendation not later than 5 days after the completion of its posting. He/she shall transmit a copy of his/her recommendation and records to the Office of the Secretary within 48 hours from the date of the recommendation.</p>
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RA 8370	“Children’s Television Act of 1997”	Approved: October 28,1997	<p>- Recognizes the importance and impact of broadcast media, particularly television programs on the value formation and intellectual development of children and must take steps to support and protect children's interests by providing television programs that reflect their needs, concerns and interests without exploiting them.</p> <p>- Terms:</p> <ol style="list-style-type: none"> <li>1 Children — below 18 years old</li> <li>2 Children's television - programs and other materials broadcast on television that are specifically designed for viewing by children</li> <li>3 Child-friendly programs - programs not specifically designed for viewing by children but which serve to further the positive development of children and contain no elements that may result in physical, mental and emotional harm to them.</li> <li>4 Child-viewing hours - hours which are appropriate for children to watch television taking into account other activities which are necessary or desirable for their balanced development.</li> </ol> <p>- Allotted for Children’s programs: min. of 15% of the daily total air time of each broadcasting network</p> <p>- National Council for Children's Television (NCCT)  *The Council Secretariat -- to be headed by an Executive Director and with not more than 20 personnel  *Advisory Committee - shall assist the Council in the formulation of national policies pertaining to children's broadcast programs and in monitoring its implementation.</p> <p>- The Charter of Children's Television — guide / standards</p>
EO 310	“Child 21”	Signed on: November 3, 2000	<p>Authorizing the Adoption and Implementation of the Philippine National Strategic Framework for Plan Development for Children, 2000-2025 or Child 21 and its Accompanying Medium Term Plan and Framework</p> <p>- Council for the Welfare of Children (CWC):  * The highest policy making body for children has the mandate to formulate long range programs for the welfare and best interest of children  * In 1991 the Philippines through the CWC has formulated a national plan known as the Philippine Plan of Action for Children (PPAC), to implement the provisions of the Convention on the Rights of the Child (CRC)</p>

			<p>- Child 21</p> <p>* A 25-year strategic framework for planning programs and interventions that promote and safeguard the rights of Filipino children was formulated</p> <p>* Followed by DSWD, DOLE, DOH, DepEd, DILG, DOJ, DA, NEDA, National Nutrition Council, National Youth Commission, and LGUs</p>
RA 8980	“ECCD Act”	Approved: December 5, 2000	<p>An Act Promulgating A Comprehensive Policy and A National System for Early Childhood Care and Development (ECCD)</p> <p>- National System for Early Childhood Care and Development (ECCD) components:</p> <ol style="list-style-type: none"> <li>ECCD Curriculum - which focuses on children's total development according to their individual needs and socio-cultural background. It shall use the child's first language as the medium of instruction.</li> <li>Parent Education and Involvement, Advocacy, and Mobilization of Communities - which harness and develop parents' strengths as providers of ECCD at home.</li> <li>Human Resource Development Program - which establishes mechanisms for the systematic professionalization of ECCD service providers, through enrolment in educational programs in site-based or distance educational modes, through pre-service or in-service training including continuing education programs.</li> <li>ECCD Management - which focuses on a continuing process of planning, implementation, supervision, financial management, monitoring, evaluation and reporting.</li> <li>Quality Standards and Accreditation - which ensures that each component in the ECCD System complies with national quality standards, linked to an accreditation process.</li> </ol> <p>- Programs and Services:</p> <p>*The ECCD Program is the convergence of a full range of health, nutrition, early education, psychosocial, and other social services that provide for the holistic needs of children 0-6 years old to promote the development of their optimum potential.</p> <ol style="list-style-type: none"> <li>Primary health care programs, pre-natal and post-natal care, growth, monitoring and promotion, and supplementary nutrition programs shall continue to be funded through the LGUs with technical support and additional resources from the DOH.</li> <li>The Day Care Program, Parent Effectiveness Service, Child-Minding Centers, Family Day Care and Parent-Child Development Programs shall continue to be supported by the LGUs in the form of construction of basic infrastructure, provision of facilities, materials and equipment, and compensation for the service providers. The DSWD shall provide for technical assistance.</li> <li>The kindergarten program in public schools shall continue to be supported by the DECS in cooperation with the PTCAs, where applicable, by providing teacher training, supplementary learning materials and reference materials for ECCD programs.</li> <li>The DSWD, DECS, DOH, and DILG shall support the implementation by LGUs of the National ECCD Program</li> </ol>

			<p>and shall include in their respective annual general appropriations beginning the fiscal year following the approval of this Act the necessary funding to achieve the goal of national coverage within a five-year period and sustain the Program from thereon. The work and financial plan of the DSWD, DECS, DOH, and DILG shall be coordinated with the Council. Support for ECCD programs can be solicited from local and international civic organizations, private philanthropic foundations to supplement available resources.</p> <p>e) Workplace-based or related ECCD programs should be supported by corporations and employers in the form of physical facilities and recurrent operating costs. The operating cost incurred for employer or corporate-sponsored ECCD programs can be deducted from taxable income.</p>
RA 9344	“Juvenile Justice and Welfare Act of 2006”	Approved: April 28, 2006	<p>An Act Establishing A Comprehensive Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare Council Under the Department of Justice</p> <p>- Main Principles</p> <ol style="list-style-type: none"> <li>1 Principle of Restorative Justice - A process of resolving conflicts with the maximum involvement of the victim, the offender and the community.</li> <li>2 A CICL is entitled to basic legal guarantees and legal and other forms of assistance and representation.</li> <li>3 Arrest, detention and imprisonment of a child shall be avoided where possible and used only as a last resort and for the shortest appropriate time</li> <li>4 Cruel, inhuman or degrading treatment, including corporal punishment, capital punishment and life imprisonment without possibility of release, are prohibited.</li> </ol> <p>- Age of Criminal Responsibility of CICL * Above 15 years old and below 18 - With criminal responsibility if with discernment.</p> <p style="text-align: center;">(a)</p> <p>- Exemptions from Criminal Liability</p> <ol style="list-style-type: none"> <li>a) Fifteen years old or younger — no criminal responsibility.</li> <li>b) A child above 15 years old but below 18 years old who acted WITHOUT DISCERNMENT</li> <li>c) Children who commit Status Offenses such as: <ol style="list-style-type: none"> <li>1 Vagrancy</li> <li>2 Prostitution</li> <li>3 Violation of Curfew Ordinance</li> <li>4 Sniffing of Rugby</li> </ol> </li> </ol> <p>- Intervention is a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counseling, skills, training, education, and other activities that will enhance his/her psychological, emotional, and psycho-social well-being. The intervention program will ensure careful and in-depth study of the case to ensure its proper handling and provisions of appropriate programs and services</p>

			<ol style="list-style-type: none"> <li>1 Professional or peer-counseling</li> <li>2 Life skills training and education</li> <li>3 Provision of support services to the family</li> <li>4 Referral to other agencies for appropriate services (e.g. education and health)</li> <li>5 Access to and participation in child and youth organizations in the community</li> </ol> <p>- Who will undergo intervention:</p> <ol style="list-style-type: none"> <li>a) 15 years old and below with no criminal responsibility – The child will undergo intervention program and the parents will pay civil damages.</li> <li>b) Over 15 years old but below 18 with no discernment – The child will undergo intervention program and the parents will pay civil damages.</li> </ol> <p>- Diversion</p> <ol style="list-style-type: none"> <li>a) The channeling of children away from the normal justice systems through alternative procedures &amp; programs;</li> <li>b) Alternative to detention and institutional care;</li> <li>c) Applies only to offenses punishable with imprisonment of not more than 12 years and fine, regardless of amount.</li> </ol> <p>- Diversion proceedings - refers to an alternative process in determining the responsibility and treatment of children in conflict with the law without resorting to formal court proceedings. Its mechanism includes conferencing, mediation and counseling. The diversion program shall include adequate socio-cultural and psychological responses and services for the child. Diversion programs may be agreed upon but are limited to: restitution of property, reparation of the damages caused, indemnification for consequential damages, anger management, values formation.</p> <p>- Diversion programs refer to the programs that the child in conflict with the law is required to undergo after he/she is found responsible for an offense without resorting to formal court proceedings.</p> <p>- Who will undergo Diversion Programs:</p> <ol style="list-style-type: none"> <li>a) Children 15 years old and below with no criminal responsibility – The child will undergo intervention program and the parents will pay civil damages.</li> <li>b) Children over 15 years old but below 18 for non-serious offense (up to 6 years imprisonment) with no discernment – The child will undergo intervention program and the parents will pay civil damages.</li> <li>c) Children who committed serious offense (above 6 years but not more than 12 years imprisonment) with discernment – diversion.</li> <li>d)</li> </ol>
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RA 10630 (amendment ↑)	“Comprehensive Juvenile Justice and Welfare System”	Approved: October 3, 2013	<p>An Act Strengthening the Juvenile Justice System in the Philippines</p> <p>- Bahay Pag-asa - a 24-hour child-caring institution established, funded and managed by local government units (LGUs) and licensed and/or accredited nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are above fifteen (15) but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.</p> <p>- Minimum Age of Criminal Responsibility. *A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of this Act. A child is deemed to be 15 y.o. on the day of the fifteenth anniversary of his/her birthdate. A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with this Act. The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.</p> <p>- Children below the Age of Criminal Responsibility. *If it has been determined that the child taken into custody is fifteen (15) years old or below, the authority which will have an initial contact with the child, in consultation with the local social welfare and development officer, has the duty to immediately release the child to the custody of his/her parents or guardian, or in the absence thereof, the child’s nearest relative. The child shall be subjected to a community-based intervention program supervised by the local social welfare and development officer, unless the best interest of the child requires the referral of the child to a youth care facility or ‘Bahay Pag-asa’</p> <p>- Serious Crimes Committed by Children Who Are Exempt From Criminal Responsibility. *A child who is above twelve (12) years of age up to fifteen (15) years of age and who commits parricide, murder, infanticide, kidnapping and serious illegal detention where the victim is killed or raped, robbery, with homicide or rape, destructive arson, rape, or carnapping where the driver or occupant is killed or raped or offenses under Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002) punishable by more than twelve (12) years of imprisonment, shall be deemed a neglected child under Presidential Decree No. 603, as amended, and shall be mandatorily placed in a special facility within the youth care faculty or ‘Bahay Pag-asa’ called the Intensive Juvenile Intervention and Support Center (IJISC).</p>
RA 9775	“Anti-Child Pornography Act of 2009”	Approved: November 17, 2009	<p>An Act Defining the Crime of Child Pornography</p> <p>- Child - refers to a person below eighteen (18) years of age or over, but is unable to fully take care of himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental</p>

			<p>disability or condition. A child shall also refer to:</p> <ol style="list-style-type: none"> <li>1 a person regardless of age who is presented, depicted or portrayed as a child as defined herein; and</li> <li>2 computer-generated, digitally or manually crafted images or graphics of a person who is represented or who is made to appear to be a child as defined herein.</li> </ol> <p>- Child pornography-refers to any representation, whether visual, audio, or written, combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of child engaged or involved in real or simulated explicit sexual activities.</p> <p>- Explicit Sexual Activity includes actual or simulated</p> <ol style="list-style-type: none"> <li>1 sexual intercourse or lascivious act including, but not limited to, contact involving genital to genital, oral to genital, anal to genital, or oral to anal, whether between persons of the same or opposite sex;</li> <li>2 Bestiality;</li> <li>3 Masturbation;</li> <li>4 Sadistic or masochistic abuse;</li> <li>5 Lascivious exhibition of the genitals, buttocks, breasts, pubic area and/or anus; or</li> <li>6 Use of any object or instrument for lascivious acts</li> </ol> <p>- Unlawful or Prohibited Acts - It shall be unlawful for any person:</p> <ol style="list-style-type: none"> <li>a) To hire, employ, use, persuade, induce or coerce a child to perform in the creation or production of any form of child pornography;</li> <li>b) To produce, direct, manufacture or create any form of child pornography;</li> <li>c) To publish offer, transmit, sell, distribute, broadcast, advertise, promote, export or import any form of child pornography;</li> <li>d) To possess any form of child pornography with the intent to sell, distribute, publish, or broadcast: Provided, That possession of three (3) or more articles of child pornography of the same form shall be prima facie evidence of the intent to sell, distribute, publish or broadcast;</li> <li>e) To knowingly, willfully and intentionally provide a venue for the commission of prohibited acts as, but not limited to, dens, private rooms, cubicles, cinemas, houses or in establishments purporting to be a legitimate business;</li> <li>f) For film distributors, theaters and telecommunication companies, by themselves or in cooperation with other entities, to distribute any form of child pornography;</li> <li>g) For a parent, legal guardian or person having custody or control of a child to knowingly permit the child to engage, participate or assist in any form of child pornography;</li> <li>h) To engage in the luring or grooming of a child;</li> <li>i) To engage in pandering of any form of child pornography;</li> <li>j) To willfully access any form of child pornography;</li> </ol>
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			<p>k) To conspire to commit any of the prohibited acts stated in this section. Conspiracy to commit any form of child pornography shall be committed when two (2) or more persons come to an agreement concerning the commission of any of the said prohibited acts and decide to commit it; and</p> <p>l) To possess any form of child pornography.</p> <p>- Inter - Agency Council against Child Pornography  *Child Pornography as a Transnational Crime - DOJ may execute the request of a foreign state for assistance in the investigation or prosecution of any form of child pornography by:</p> <ol style="list-style-type: none"> <li>1 conducting a preliminary investigation against the offender and, if appropriate, to file the necessary charges in court;</li> <li>2 giving information needed by the foreign state; and (3) to apply for an order of forfeiture of any proceeds or monetary instrument or properly located in the Philippines used in connection with child pornography in the court.</li> </ol>
RA 10165	"Foster Care Act Of 2012"	Approved: June 11,2012	<p>- Who May Be Placed Under Foster Care  *The following may be placed in foster care:</p> <ol style="list-style-type: none"> <li>a) A child who is abandoned, surrendered, neglected, dependent or orphaned;</li> <li>b) A child who is a victim of sexual, physical, or any other form of abuse or exploitation;</li> <li>c) A child with special needs;</li> <li>d) A child whose family members are temporarily or permanently unable or unwilling to provide the Child with adequate care;</li> <li>e) A child awaiting adoptive placement and who would have to be prepared for family life;</li> <li>f) A child who needs long-term care and close family ties but who cannot be placed for domestic adoption;</li> <li>g) A child whose adoption has been disrupted;</li> <li>h) A child who is under socially difficult circumstances such as, but not limited to, a street child, a child in armed conflict or a victim of child labor or trafficking; .</li> <li>i) A child who committed a minor offense but is released on recognizance, or who is in custody supervision or whose case is dismissed; and</li> <li>j) A child who is in need of special protection as assessed by a social worker, an agency or the DSWD.</li> </ol> <p>- Who May Be a Foster Parent:</p> <ol style="list-style-type: none"> <li>a) Must be of legal age;</li> <li>b) Must be at least 16 years older than the child unless the foster parent is a relative;</li> <li>c) Must have a genuine interest, capacity and commitment in parenting and is able to provide a familial atmosphere for the child;</li> <li>d) Must have a healthy and harmonious relationship with each family member living with him or her;</li> <li>e) Must be of good moral character;</li> <li>f) Must be physically and mentally capable and emotionally mature;</li> </ol>

			<p>g) Must have sufficient resources to be able to provide for the family's needs;</p> <p>h) Must be willing to further hone or be trained on knowledge, attitudes and skills in caring for a child; and</p> <p>i) Must not already have the maximum number of children under his foster care at the time of application or award.</p> <p>- Parental Authority of a Foster Parent - Foster parents shall only have the rights of a person with special parental authority to discipline the foster children as defined under Section 233 of the Family Code, insofar as it prohibits the infliction of corporal punishment upon the child</p>
RA 10410	"The Early Years Act of 2013"	Approved: March 26, 2013	<p>An Act Recognizing the Age from 0 to 8 Years as the First Crucial Stage of Educational Development and Strengthening the Early Childhood Care and Development System</p> <p>- Early Childhood Care and Development Council - the national agency responsible for care and development of children 0-4 years old while the responsibility to help develop children in their formative years between age 5-8 years shall be with the Department of Education.</p> <p>- Early Childhood Care and Development (ECCD) System shall refer to the full range of health, nutrition, early education and social services development programs that provide for the basic holistic needs of young children from age zero 0 to 4 years; and to promote their optimum growth and development. These programs shall include:</p> <p>a) Center-based programs, such as the day care service established under Republic Act No. 6972, otherwise known as the "Barangay – Level Total Development and Protection of Children Act", and hereinafter referred to as the child development service, community or church-based early childhood education programs initiated by nongovernment organizations or people's organizations, workplace-related child care and education programs, child-minding centers, health centers and stations; and</p> <p>b) Home-based programs, such as the neighborhood-based play groups, family child care programs, parent education and home visiting programs.</p> <p>- ECCD Service Providers shall include the various professionals, paraprofessionals and volunteer caregivers who are directly responsible for the care and education of young children from age 0 to 4 years through the various centers and home-based programs. They shall include, but shall not be limited to, day care workers hereinafter referred to as child development workers, child development teachers, teacher-aides, rural health midwives, social workers, community health workers, barangay nutrition scholars, parent effectiveness service volunteers, and family day care providers.</p> <p>- ECCD Curriculum shall refer to the developmentally-appropriate educational objectives and practices, programs of activities, organized learning experiences, recommended learning materials and appropriate assessment for children from age 0 to 4 years that are implemented by service providers through center and home-based programs. It shall consist of national program goals and guidelines, instructional objectives, and content outlines that are age-appropriate, individually appropriate and culturally relevant.</p>

			<p>- Parent Education shall refer to the various formal and alternative means of providing parents with information, skills, and support systems to assist them in their roles as their children’s primary caregivers and educators. These include public and private parent education programs linked to center, home and media-based child care and education programs.</p>
RA 10533	“Enhanced Basic Education Act of 2013” / K-12	Approved: May 15, 2013	<p>An Act of Enhancing the Philippine Basic Education System by Strengthening its Curriculum and Increasing the Numbers of Years for Basic Education</p> <p>- The enhanced basic education program encompasses at least 1 year of kindergarten education, 6 years of elementary education, and 6 years of secondary education, in that sequence. Secondary education includes four 4 years of junior high school and 2 years of senior high school education. The enhanced basic education program may likewise be delivered through the alternative learning system.</p> <p>a) Kindergarten Education is the first stage of compulsory and mandatory formal education which consists of one year of preparatory education for children at least 5 years old as a prerequisite for Grade 1.</p> <p>b) Elementary Education refers to the second stage of compulsory basic education which is composed of six years. The entrant age to this level is typically 6 years old.</p> <p>c) Secondary Education refers to the third stage of compulsory basic education. It consists of four years of junior high school education and two years of senior high school education. The entrant age to the junior and senior high school levels are typically 12 and 16 years old, respectively.</p> <p>* It shall be compulsory for every parent or guardian or other persons having custody of a child to enroll such child in basic education, irrespective of learning delivery modes and systems, until its completion.</p> <p>- Terms:</p> <p>a) Learning Center refers to a physical space to house learning resources and facilities of a learning program for out-of-school youth and adults. It is a venue for face-to-face learning activities and other learning opportunities for community development and improvement of the people’s quality of life. This may also be referred to as “Community Learning Center” authorized or recognized by the DepEd.</p> <p>b) Learner refers to a pupil or student, or to a learner in the alternative learning system.</p> <p>c) Mother Language or First Language (L1) refers to the language or languages first learned by a child, which he/she identifies with, is identified as a native language user of by others, which he/she knows best, or uses most. This includes Filipino sign language used by individuals with pertinent disabilities. The regional or native language refers to the traditional speech variety or variety of Filipino sign language existing in a region, area or place.</p> <p>d) Non-DepEd Public School refers to a public school offering basic education operated by an agency of the national government other than the DepEd, or by a local government unit.</p> <p>- Inclusiveness of enhanced basic education shall mean the implementation of programs designed to address the physical, intellectual, psychosocial, and cultural needs of learners, which shall include, but shall not be limited</p>

			<p>to, the following:</p> <ul style="list-style-type: none"> <li>a) Programs for the Gifted and Talented. Programs for Learners with Disabilities.</li> <li>b) Madrasah Program -for Muslim learners in public and private schools</li> <li>c) Indigenous Peoples (IP) Education Program.</li> <li>d) Programs for Learners under Difficult Circumstances. This shall refer to the timely and responsive programs for learners under difficult circumstances, such as, but not limited to: geographic isolation; chronic illness; displacement due to armed conflict, urban resettlement, or disasters; child abuse and child labor practices.</li> </ul> <p>- Acceleration.</p>
RA 10627	“Anti- Bullying Act of 2013”	Approved: September 12, 2013	<p>An Act Requiring All Elementary and Secondary Schools to Adopt Policies to Prevent and Address the Acts of Bullying in their Institutions</p> <p>- Bullying refers to any repeated or severe use by one or more students of a verbal, electronic or written expression, or a physical gesture or act that can bring physical or emotional harm to the victim. Bullying is also perceived as creating an unfriendly environment for the other student that can cause disruption in the education process. The following is considered acts of bullying:</p> <ul style="list-style-type: none"> <li>a) Any unwanted physical contact between the victim and the bully such as pushing, shoving punching, tickling, headlocks, slapping, teasing, fighting, inflicting school pranks and the use of available objects or weapons;</li> <li>b) Any act that can create damage to a victim’s emotional well-being;</li> <li>c) Any accusation that can make the victim emotionally distressed such as profanity, foul language, negative comments or derogatory remarks on the victim’s appearance, body and clothes; and</li> <li>d) Cyber-bullying or any type of bullying that is initiated with the use of technology or any electronic means</li> </ul> <p>- Adoption of Anti-Bullying Policies. – All elementary and secondary schools are hereby directed to adopt policies to address the existence of bullying in their respective institutions. Such policies shall be regularly updated and, at a minimum, shall include provisions which:</p> <ul style="list-style-type: none"> <li>a) Prohibit the following acts: <ul style="list-style-type: none"> <li>1 Bullying on school grounds; property immediately adjacent to school grounds; at school-sponsored or school-related activities, functions or programs whether on or off school grounds; at school bus stops; on school buses or other vehicles owned, leased or used by a school; or through the use of technology or an electronic device owned, leased or used by a school;</li> <li>2 Bullying at a location, activity, function or program that is not school-related and through the use of technology or an electronic device that is not owned, leased or used by a school if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school, or materially and substantially disrupt the education process or the orderly operation of a school;</li> </ul> </li> </ul>

			<p>3 Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying;</p> <p>b) Identify the range of disciplinary administrative actions that may be taken against a perpetrator for bullying or retaliation which shall be commensurate with the nature and gravity of the offense: Provided, That, in addition to the disciplinary sanctions imposed upon a perpetrator of bullying or retaliation, he/she shall also be required to undergo a rehabilitation program which shall be administered by the institution concerned. The parents of the said perpetrator shall be encouraged by the said institution to join the rehabilitation program;</p> <p>c) Establish clear procedures and strategies for:</p> <ol style="list-style-type: none"> <li>1 Reporting acts of bullying or retaliation;</li> <li>2 Responding promptly to and investigating reports of bullying or retaliation;</li> <li>3 Restoring a sense of safety for a victim and assessing the student's need for protection;</li> <li>4 Protecting from bullying or retaliation of a person who reports acts of bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying; and</li> <li>5 Providing counseling or referral to appropriate services for perpetrators, victims and appropriate family members of said students;</li> </ol> <p>d) Enable students to anonymously report bullying or retaliation: Provided, however, That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report;</p> <p>e) Subject a student who knowingly makes a false accusation of bullying to disciplinary administrative action;</p> <p>f) Educate students on the dynamics of bullying, the anti-bullying policies of the school as well as the mechanisms of such school for the anonymous reporting of acts of bullying or retaliation;</p> <p>g) Educate parents and guardians about the dynamics of bullying, the anti-bullying policies of the school and how parents and guardians can provide support and reinforce such policies at home; and</p> <p>h) Maintain a public record of relevant information and statistics on acts of bullying or retaliation in school: Provided, That the names of students who committed acts of bullying or retaliation shall be strictly confidential and only made available to the school administration, teachers directly responsible for the said students and parents or guardians of students who are or have been victims of acts of bullying or retaliation.</p> <p>- All elementary and secondary schools shall provide students and their parents or guardians a copy of the anti-bullying policies being adopted by the school. Such policies shall likewise be included in the school's student and/or employee handbook and shall be conspicuously posted on the school walls and website, if there is any.</p>
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**LAWS FOR CLIMATE CHANGE**

NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
	United Nations Framework Convention on Climate Change (UNFCC)	Entered into force: March 21, 1994	<ul style="list-style-type: none"> <li>- The convention aims to gather information on Green House Gasses (GHG) emissions and national policies.</li> <li>- Initiate strategies that will encourage GHG emission reduction and to contribute to the preparation for adaptation to the adverse effect of climate change.</li> </ul>
RA 8749	“Philippine Clean Air Act of 1999”	Passed by HOR: May 10, 1999  Passed by Senate: May 13, 1999	<ul style="list-style-type: none"> <li>- An effective air quality management program that will mitigate the worsening problem of air pollution in the country</li> <li>- Formulate a holistic national program of air pollution that shall be implemented by the government through proper delegation and effective coordination of function and activities.</li> <li>- Focus primarily on pollution prevention rather than on control and provide for a comprehensive management program on air pollution.</li> <li>- Department of Environment and Natural Resources (DENR), act as overall of the lead agency.</li> </ul>
RA 9003	“Ecological Solid Waste Management of 2000”	Approved: January 26, 2001	An Act Providing for An Ecological Solid Waste Management Program, Creating the Necessary Institutional Mechanisms and Incentives, Declaring Certain Acts Prohibited and Providing Penalties <ul style="list-style-type: none"> <li>- Ensure the protection of the public health and environment.</li> <li>- Ensure proper segregation, collection, transport, storage, treatment and disposal of solid waste management.</li> <li>- Promote national research and development programs for improved solid waste management.</li> <li>- Set criteria for establishment of Sanitary Landfills</li> </ul>
RA 9279	“Climate Change Act of 2009”	Approved: October 23, 2009	An Act Mainstreaming Climate Change into Government Policy Formulations, Establishing the Framework Strategy and Program on Climate Change, Creating for this Purpose the Climate Change Commission <ul style="list-style-type: none"> <li>- Created the Climate Change Commission which is the policy-making body, coordinate, monitor &amp; evaluate the government program &amp; actions to mitigate &amp; adapt the effects of climate change.</li> </ul>
RA 10121	“Philippine Disaster Risk Reduction and Management Act of 2010”	Approved: May 27, 2010	An Act Strengthening the Philippine Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan <ul style="list-style-type: none"> <li>- It upholds the people’s constitutional rights to life and property by addressing the root cause of vulnerabilities to disasters, strengthening the country’s capacity for disaster risk reduction and management</li> </ul>

			<p>-It adopts universal norms, principles &amp; standards of humanitarian assistance as the country's concrete expression of overcoming human sufferings brought by disasters</p> <p>- Develop, promote, &amp; implement a comprehensive National Disaster Risk Reduction and Management Plan (NDRRMP) that strengthens capacity of national government and LGUs in building disaster-resilient communities</p> <p>- It provides development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster-risk reduction and management</p> <p>- The NDRRM Council or National Council shall be headed by the Secretary of Department of National Defense (DND) as Chairperson</p> <p>- The Office of Civil Defense (OCD) shall have the primary mission of administering a comprehensive national civil defense and disaster risk reduction and management program</p> <p>- The Administrator of OCD shall also serve as the Executive Director of the National Council</p> <p>- Definition of Terms:</p> <p>a) Adaptation - adjustment in natural or human systems in response to actual or expected climate stimuli</p> <p>b) Capacity - a combination of all strengths and resources available within a community, society or organization that can reduce the level of effects of a disaster</p> <p>c) Contingency Planning - a management process that analyzes specific potential events or emerging situations that threaten society</p> <p>d) Disaster - a serious disruption of the functioning of a community or a society involving widespread human, material, economic, or environmental losses</p> <p>e) Disaster Preparedness - the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from the impacts of hazard events</p> <p>f) Disaster Prevention - the outright avoidance of adverse impacts of hazards and related disasters</p> <p>g) Disaster Response - the provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet basic needs</p> <p>h) Disaster Risk - the potential disaster losses in lives, health status, livelihood, assets and services that occurs to a particular community over some specified future time period</p> <p>i) Emergency - unforeseen or sudden occurrence, especially danger, demanding immediate action</p> <p>j) Hazard - a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood &amp; services, social &amp; economic disruption, or environmental damage</p>
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<b>LAWS FOR SPECIAL SECTORS WITH SPECIAL CONCERNS</b>			
<b>NO. to REMEMBER</b>	<b>TITLE to RECALL</b>	<b>DATE to NOTE</b>	<b>GOOD THINGS to KNOW</b>
RA 8042	"Migrant Workers and Overseas Filipinos Act of 1995"	Approved: June 7, 1995	<p>An Act to Institute the Policies of Overseas Employment and Establish A Higher Standard of Protection and Promotion of the Welfare of Migrant Workers, their Families and Overseas Filipinos in Distress</p> <p><i>Section 2 – Declaration of Policies.</i></p> <ul style="list-style-type: none"> <li>a) In the pursuit of an independent foreign policy and while considering national sovereignty, territorial integrity, national interest and the right to self-determination paramount in its relations with other states, the State shall, at all times, uphold the dignity of its citizens whether in country or overseas, in general, and Filipino migrant workers, in particular.</li> <li>b) The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. Towards this end, the State shall provide adequate and timely social, economic and legal services to Filipino migrant workers.</li> <li>c) While recognizing the significant contribution of Filipino migrant workers to the national economy through their foreign exchange remittances, the State does not promote overseas employment as a means to sustain economic growth and achieve national development. The existence of the overseas employment program rests solely on the assurance that the dignity and fundamental human rights and freedoms of the Filipino citizens shall not, at any time, be compromised or violated. The State, therefore, shall continuously create local employment opportunities and promote the equitable distribution of wealth and the benefits of development.</li> <li>d) The State affirms the fundamental equality before the law of women and men and the significant role of</li> </ul>

			<p>women in nation-building. Recognizing the contribution of overseas migrant women workers and their particular vulnerabilities, the State shall apply gender sensitive criteria in the formulation and implementation of policies and programs affecting migrant workers and the composition of bodies tasked for the welfare of migrant workers.</p> <p>e) Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any persons by reason of poverty. In this regard, it is imperative that an effective mechanism be instituted to ensure that the rights and interest of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, documented or undocumented, are adequately protected and safeguarded.</p> <p>f) The right of Filipino migrant workers and all overseas Filipinos to participate in the democratic decision-making processes of the State and to be represented in institutions relevant to overseas employment is recognized and guaranteed.</p> <p>g) The State recognizes that the ultimate protection to all migrant workers is the possession of skills. Pursuant to this and as soon as practicable, the government shall deploy and/or allow the deployment only to skilled Filipino workers.</p> <p>h) Non-governmental organizations, duly recognized as legitimate, are partners of the State in the protection of Filipino migrant workers and in the promotion of their welfare, the State shall cooperate with them in a spirit of trust and mutual respect.</p> <p>i) Government fees and other administrative costs of recruitment, introduction, placement and assistance to migrant workers shall be rendered free without prejudice to the provision of Section 36 hereof.</p> <p><i>Section 3 – Definition of Terms.</i></p> <p>a) "Migrant worker" refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a legal resident to be used interchangeably with overseas Filipino worker.</p> <p>b) "Gender-sensitivity" shall mean cognizance of the inequalities and inequities prevalent in society between women and men and a commitment to address issues with concern for the respective interests of the sexes.</p> <p>c) "Overseas Filipinos" refers to dependents of migrant workers and other Filipino nationals abroad who are in distress as mentioned in Sections 24 and 26 of this Act.</p> <p><i>Section 4 – Deployment of Migrant Workers.</i></p> <p>- The State shall deploy overseas Filipino workers only in countries where the rights of Filipino migrant workers are protected. The government recognizes any of the following as guarantee on the part of the receiving country for the protection and the rights of overseas Filipino workers:</p> <p>a) It has existing labor and social laws protecting the rights of migrant workers;</p> <p>b) It is a signatory to multilateral conventions, declaration or resolutions relating to the protection of migrant workers;</p> <p>c) It has concluded a bilateral agreement or arrangement with the government protecting the rights of</p>
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			<p>overseas Filipino workers; and</p> <p>* It is taking positive, concrete measures to protect the rights of migrant workers</p>
RA 10022 (amendment ↑)		Approved: March 8, 2010	<p>An Act Amending RA 8042, Further Improving the Standard of Protection and Promotion of the Welfare of Migrant Workers, their Families and Overseas Filipinos in Distress</p> <p>- Paragraphs (a), (e), (g) and (h) of Section 2 of Republic Act. No. 8042, as amended, otherwise known as the "Migrant Workers and Overseas Filipinos Act of 1995," is hereby amended to read as follows:</p> <p>a) In the pursuit of an independent foreign policy and while considering national sovereignty, territorial integrity, national interest and the right to self-determination paramount in its relations with other states, the State shall, at all times, uphold the dignity of its citizens whether in country or overseas, in general, and Filipino migrant workers, in particular, continuously monitor international conventions, adopt/be signatory to and ratify those that guarantee protection to our migrant workers, and endeavor to enter into bilateral agreements with countries hosting overseas Filipino workers</p> <p>e) Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty. In this regard, it is imperative that an effective mechanism be instituted to ensure that the rights and interest of distressed overseas Filipinos, in general, and Filipino migrant workers, in particular, whether regular/documented or irregular/undocumented, are adequately protected and safeguarded</p> <p>g) The State recognizes that the most effective tool for empowerment is the possession of skills by migrant workers. The government shall provide them free and accessible skills development and enhancement programs. Pursuant to this and as soon as practicable, the government shall deploy and/or allow the deployment only of skilled Filipino workers</p> <p>h) The State recognizes non-governmental organizations, trade unions, workers associations, stakeholders and their similar entities duly recognized as legitimate, are partners of the State in the protection of Filipino migrant workers and in the promotion of their welfare. The State shall cooperate with them in a spirit of trust and mutual respect. The significant contribution of recruitment and manning agencies shall from part this partnership</p> <p>- Overseas Filipino worker - refers to a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a citizen or on board a vessel navigating the foreign seas other than a government ship used for military or non-commercial purposes or on an installation located offshore or on the high seas; to be used interchangeably with migrant worker</p> <p>- Sec. 4, the government recognizes any of the following as a guarantee on the part of the receiving country for the protection of OFW:</p> <p>a) It has existing labor and social laws protecting the rights of workers, including migrant workers</p> <p>b) It is a signatory to and/or a ratifier of multilateral conventions, declarations or resolutions relating to the</p>

			<p>protection of workers, including migrant workers</p> <p>c) It has concluded a bilateral agreement or arrangement with the government on the protection of the rights of overseas Filipino Workers</p> <p>- Illegal recruitment - any act of canvassing, enlisting, contracting, transporting, utilizing, hiring, or procuring workers and includes referring, contract services, promising or advertising for employment abroad, whether for profit or not, when undertaken by non-licensee or non-holder of authority</p> <p>- Definition of Terms:</p> <p>a) Authority - refers to a document issued by the Secretary of Labor and Employment authorizing the officers, personnel, agents or representatives of a licensed recruitment/manning agency to conduct recruitment and placement activities in a place stated in the license or in a specified place</p> <p>b) Filipino Service Contractor - refers to any person, partnership or corporation duly licensed as a private recruitment agency by the Secretary of Labor and Employment to recruit workers for its accredited projects or contracts overseas</p> <p>c) Gender Sensitivity - refers to cognizance of the inequalities and inequities prevalent in society between women and men and a commitment to address issues with concern for the respective interest of the sexes</p> <p>d) Joint and several liability - refers to the liability of the principal/employer and the recruitment/manning agency, for any and all claims arising out of the implementation of the employment contract involving Filipino workers for overseas deployment</p> <p>e) Principal - refers to an employer or foreign placement agency hiring or engaging Filipino workers for overseas employment through a licensed private recruitment/manning agency</p>
RA 8504	"Philippine AIDS Prevention and Control Act of 1998."	Approved: February 13, 1998	<p>An Act Promulgating Policies and Prescribing Measures for the Prevention and Control of HIV/AIDS in the Philippines, Instituting a Nationwide HIV/AIDS Information and Educational Program, Establishing A Comprehensive HIV/AIDS Monitoring System, Strengthening the Philippine National Aids Council (PNAC)</p> <p>- The State shall promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of HIV/AIDS through a comprehensive nationwide educational and information campaign organized and conducted by the State</p> <p>- The State shall extend to every person suspected or known to be infected with HIV/AIDS full protection of his/her human rights and civil liberties. Towards this end:</p> <p>a) compulsory HIV testing shall be considered unlawful unless otherwise provided in this Act;</p> <p>b) the right to privacy of individuals with HIV shall be guaranteed;</p> <p>c) discrimination, in all its forms and subtleties, against individuals with HIV or persons perceived or suspected of having HIV shall be considered inimical to individual and national interest; and</p> <p>d) provision of basic health and social services for individuals with HIV shall be assured</p>

			<ul style="list-style-type: none"> <li>- The State shall promote utmost safety and universal precautions in practices and procedures that carry the risk of HIV transmission</li>   <li>- The State shall positively address and seek to eradicate conditions that aggravate the spread of HIV infection, including but not limited to, poverty, gender inequality, prostitution, marginalization, drug abuse and ignorance</li>   <li>- The State shall recognize the potential role of affected individuals in propagating vital information and educational messages about HIV/AIDS and shall utilize their experience to warn the public about the disease</li>   <li>- Definition of Terms <ul style="list-style-type: none"> <li>a) Acquired Immune Deficiency Syndrome(AIDS) - a condition characterized by a combination of signs and symptoms, caused by HIV contracted from another person and which attacks and weakens the body's immune system, making the afflicted individual susceptible to other life-threatening infections</li> <li>b) Anonymous Testing - refers to an HIV testing procedure whereby the individual being tested does not reveal his/her true identity. An identifying number or symbol is used to substitute for the name and allows the laboratory conducting the test and the person on whom the test is conducted to match the test results with the identifying number or symbol</li> <li>c) Contact tracing - refers to the method of finding and counselling the sexual partner(s) of a person who has been diagnosed as having sexually transmitted disease</li> <li>d) Human Immunodeficiency Virus (HIV) - refers to the virus which causes AIDS</li> <li>e) HIV-positive - refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested</li> <li>f) HIV Testing - refers to any laboratory procedure done on an individual to determine the presence or absence of HIV infection</li> <li>g) Prophylactic - refers to any agent or device used to prevent the transmission of a disease</li> <li>h) Sexually Transmitted Diseases - refers to any disease that may be acquired or passed on through sexual contact</li> <li>i) Window Period - refers to the period of time, usually lasting from two weeks to six (6) months during which an infected individual will test "negative" upon HIV testing but can actually transmit the infection</li> </ul> </li>   <li>- All results of HIV/AIDS testing shall be confidential and shall be released only to the following persons: <ul style="list-style-type: none"> <li>a) the person who submitted himself/herself to such test;</li> <li>b) either parent of a minor child who has been tested;</li> <li>c) a legal guardian in the case of insane persons or orphans;</li> <li>d) a person authorized to receive such results in conjunction with the AIDSWATCH program as provided in Sec. 27 of this Act;</li> <li>e) a justice of the Court of Appeals or the Supreme Court, as provided under sub Sec. (c) of this Act and in accordance with the provision of Sec. 16 hereof.</li> </ul> </li> </ul>
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			<p>- The Philippine National AIDS Council (PNAC) created by virtue of Executive Order No. 39 dated 3 December 1992 shall be reconstituted and strengthened to enable the Council to oversee an integrated and comprehensive approach to HIV/AIDS prevention and control in the Philippines. It shall be attached to the Department of Health</p> <p>- The Council shall be composed of twenty-six (26) members</p>
RA 10361	“Domestic Workers Act” / “Batas Kasambahay”	Approved: January 18, 2013	<p>An Act Instituting Policies for the Protection and Welfare of Domestic Workers</p> <p>- Who is covered in Kasambahay Law? *General household helpers: yayas, cooks, gardeners, laundry persons, and helpers hired <u>on a live-out arrangement</u>.</p> <p>- Who should pay for the cost of pre-employment costs? *The employer is the responsible for the costs of hiring and transportation of the kasambahay from his place of origin to place of work. Also pre employment files such as , medical certificate, NBI clearance, etc.</p> <p>- Enrollment in SSS, PAGIBIG,PHILHEALTH *Once the kasambahay has rendered service for one month, he is eligible to 13<sup>th</sup> month pay, SSS, PAGIBIG, PHILHEALTH.</p> <p>- Contract *Specifying duties and responsibilities, perod of employment, salary or compensation, additional payments, rest days, allowable leaves, board, lodging, medcal attention, agreements on deployment, loan agreement, termination of employment and other conditions</p> <p>Mandatory benefits</p> <ol style="list-style-type: none"> <li>1 Minimum wage: 2,500 php in metro manila, 2,000 php for citites in 1st class municipalities, 1,500 php for other municipalities</li> <li>2 Daily rest period of 8 tota; hours weekly rest period of 24 uninterrupted hours</li> <li>3 5 dys annual service incentive leave with pay</li> <li>4 13<sup>th</sup> month</li> <li>5 SSS, Pagibig, Philhealth</li> </ol>

**LAWS RELATED TO CRIMES**

NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
RA 6425	"The Dangerous Drugs Act of 1972"	Approved: March 30, 1972	<p>- Educational Measures Section 28 — <i>Heads, Supervisors and Teachers of Schools.</i> For the purpose of enforcing the provisions of Articles II and III of this Act, all school heads, supervisors and teachers shall be deemed to be persons in authority and, as such, are hereby vested with the power to apprehend, arrest, or cause the apprehension or arrest of any person who shall violate any of the said provisions. They shall be considered as persons in authority if they are in the school or within its immediate vicinity, or beyond such immediate vicinity if they are in attendance at any school or class function in their official capacity as school heads, supervisors or teachers</p> <p>- Rehabilitative Confinement and Suspension of Sentence Section 32 — <i>Suspension of Sentence for First Offense of a Minor.</i> *If an accused less than twenty-one years of age who is found guilty,</p> <ol style="list-style-type: none"> <li>a) The court may defer sentence and place him on probation under the supervision of the Board or its agents and under such conditions as the court may impose for a period ranging from six months to one year.</li> <li>b) If the accused violates any of the conditions of his probation, the court shall pronounce judgment of conviction and he shall serve sentence as in any other criminal case.</li> <li>c) If, however, he does not violate any condition of his probation, then upon the expiration of the designated period, the court shall discharge him and dismiss the proceedings.</li> <li>d) If the court finds that such accused is a drug dependent, it shall commit him to a center for treatment and rehabilitation under the supervision of the Board. Upon certification of his rehabilitation by the Board, the court shall enter an order discharging him.</li> <li>e) A confidential record of the proceedings shall be kept by the Department of Justice and shall not be used for any other purpose except as a record to be used in determining whether or not a person accused under the provisions of this Act is a first offender.</li> </ol> <p>*In the case of minors under sixteen year of age</p> <ol style="list-style-type: none"> <li>a) The provisions of Article 80 of the Revised Penal Code shall apply, without prejudice to the application of the provisions of this Section. Where as: Whenever a minor of either sex, under sixteen years of age at the date of the commission of a grave or less grave felony, is accused thereof, the court, after hearing the evidence in the proper proceedings, instead of pronouncing judgment of conviction, shall suspend all further proceedings and shall commit such minor to the custody or care of a public or private, benevolent or charitable institution. . .</li> </ol> <p>- Treatment and Rehabilitation Center for Drug Dependents. *The existing Treatment and Rehabilitation Center for Drug Dependents at Tagaytay City shall continue to be operated and maintained by the National Bureau of Investigation</p>

			<p>-Dangerous Drugs Board</p> <p>a) Composed of nine members. Three members who shall possess adequate training and experience in the field of dangerous drugs or in law, medicine, criminology, psychology or social work.</p> <p>b) Appointed by the President of the Philippines with the consent of the Commission on Appointments.</p>
RA 9165 (repeal & amendment ↑)	"Comprehensive Dangerous Drugs Act of 2002"	Approved: January 23, 2002	<p>An Act Instituting the Comprehensive Dangerous Drugs Act of 2002, RA 6425</p> <p>- Rule On Children Charged Under Republic Act No. 9165</p> <p>a) Mandatory Drug Test- Child Charged with criminal offense not penalized by this Act shall be subjected to this test.</p> <p>b) Screening Laboratory Test And Confirmatory Test - A child taken into custody for alleged violation of the Act shall be subjected to a screening laboratory test within twenty-four hours from the time the child was taken into custody. If the result of the test is positive, it shall be challenged by the child personally or through his/her parents, guardian, custodian or any relative within the fourth degree of consanguinity or affinity, within fifteen days after receipt thereof, through a confirmatory test.</p> <p>- Voluntary Submission of a Child Drug Dependent to Confinement Treatment and Rehabilitation</p> <p>1 Who may apply?</p> <p>a) Personally</p> <p>b) Parent or guardian</p> <p>c) Relative within fourth degree of consanguinity and affinity</p> <p>2 Treatment and Care</p> <p>a) Center</p> <p>b) DOH Accredited Physician</p> <p>3 Period of Confinement shall not exceed one year</p> <p>4 Discharged of Confinement shall be Exempt of Criminal Liability</p> <p>a) He/she has complied with the rules and regulations of the Center or those imposed by the DOH-accredited physician</p> <p>b) He/she has never been charged with or convicted of any offense punishable under the Act, the Dangerous Drugs Act of 1972 or Republic Act No. 6425</p> <p>c) He/she has no record of escape from a Center or, if an escapee, has surrendered personally or through the parents, guardian or relative within the fourth degree of consanguinity or affinity, within one week from the date of the escape; and</p> <p>d) He/she poses no serious danger to his/her person, family or community.</p> <p>5 Final Discharge, if the child is certified to be Rehabilitated</p> <p>6 Recommitment</p> <p>a) requires further treatment and rehabilitation</p> <p>b) in case of escape</p>

			<p>7 Probation and Community Service upon the discretion of the court- for a child who does not qualify for exemption of criminal liability</p> <ol style="list-style-type: none"> <li>a) After-care and Follow-up Program shall employ Strengths-based Approach focus on Reinforcing the positive internal resource of the child</li> <li>b) His/her innate talents or skills</li> <li>c) What he/she is good at</li> <li>d) What his/her life goals and what may be done to achieve them</li> </ol> <p>8 Filing of Charges against a Child Drug Dependent who is not rehabilitated after a second commitment shall be charged and prosecuted upon the recommendation of the Board. If convicted, the child shall be credited for a period of Confinement and Rehabilitation.</p> <p>9 Confidentiality of Records</p> <p>- Suspended Sentence</p> <p>1 Automatic Suspension of Sentence. - If a child drug dependent is under eighteen years of age at the time of the commission of the offense and is found guilty, may be given the benefits of a suspended sentence, subject to the following conditions:</p> <ol style="list-style-type: none"> <li>a) He/she has not been previously convicted of violating any provision of this Act, or of the Dangerous Drugs Act of 1972, as amended; or of the Revised Penal Code; or of any special penal laws;</li> <li>b) He/she has not been previously committed to a Center or to the care of a DOH-accredited physician; and</li> <li>c) The Board favorably recommends that his/her sentence be suspended.</li> </ol> <p>2 While under suspended sentence, he/she shall be under the supervision and rehabilitative surveillance of the Board, under such conditions that the court may impose for a period ranging from six (6) months to eighteen (18) months</p> <p>- Social Work</p> <p>*Case Study Report - direct by the Court The case study report shall identify the child's:</p> <ol style="list-style-type: none"> <li>a) environmental functioning problems</li> <li>b) family functioning problems</li> <li>c) psychosocial functioning problems</li> <li>d) including a strengths-based biophysical assessment done on the child by a Department of Health (DOH)-accredited physician - To help the court in properly addressing the substance abuse problem of the child</li> </ol>
RA 8049	"Anti-Hazing Act"	Approved: June 7, 1995	<p>An Act Regulating Hazing and Other Forms of Initiation Rites in Fraternities, Sororities, and Other Organizations</p> <p>- Hazing is an initiation rite or practice as a prerequisite for admission into membership in a fraternity, sorority or organization by placing the recruit, neophyte or applicant in some embarrassing or humiliating situations such as forcing him to do menial, silly, foolish and other similar tasks or activities or otherwise subjecting him to physical or psychological suffering or injury.</p>

			<p>- Organization - any club or the Armed Forces of the Philippines, Philippine National Police, Philippine Military Academy, or officer and cadet corp of the Citizen's Military Training and Citizen's Army Training.</p> <p>- No hazing or initiation rites in any form or manner by a fraternity, sorority or organization shall be allowed without prior written notice to the school authorities or head of organization seven (7) days before the conduct of such initiation</p> <p>- The head of the school or organization or their representatives must assign at least two (2) representatives of the school or organization, as the case may be, to be present during the initiation. It is the duty of such representative to see to it that no physical harm of any kind shall be inflicted upon a recruit, neophyte or applicant.</p>
RA 9208	"Anti-Trafficking in Persons Act of 2003"	Approved: May 26, 2003	<p>An Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons</p> <p>- Acts of Trafficking in Persons.</p> <ol style="list-style-type: none"> <li>a) To recruit, transport, transfer; harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</li> <li>b) To introduce or match for money, profit, or material, economic or other consideration, any person or, as provided for under Republic Act No. 6955, any Filipino woman to a foreign national, for marriage for the purpose of acquiring, buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</li> <li>c) To offer or contract marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;</li> <li>d) To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;</li> <li>e) To maintain or hire a person to engage in prostitution or pornography;</li> <li>f) To adopt or facilitate the adoption of persons for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</li> <li>g) To recruit, hire, adopt, transport or abduct a person, by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose of removal or sale of organs of said person; and</li> <li>h) To recruit, transport or adopt a child to engage in armed activities in the Philippines or abroad.</li> </ol> <p>- Acts that Promote Trafficking in Persons. - The following acts which promote or facilitate trafficking in persons, shall be unlawful:</p>

			<p>a) To knowingly lease or sublease, use or allow to be used any house, building or establishment for the purpose of promoting trafficking in persons;</p> <p>b) To produce, print and issue or distribute unissued, tampered or fake counseling certificates, registration stickers and certificates of any government agency which issues these certificates and stickers as proof of compliance with government regulatory and pre-departure requirements for the purpose of promoting trafficking in persons;</p> <p>c) To advertise, publish, print, broadcast or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means, including the use of information technology and the internet, of any brochure, flyer, or any propaganda material that promotes trafficking in persons;</p> <p>d) To assist in the conduct of misrepresentation or fraud for purposes of facilitating the acquisition of clearances and necessary exit documents from government agencies that are mandated to provide pre-departure registration and services for departing persons for the purpose of promoting trafficking in persons;</p> <p>e) To facilitate, assist or help in the exit and entry of persons from/to the country at international and local airports, territorial boundaries and seaports who are in possession of unissued, tampered or fraudulent travel documents for the purpose of promoting trafficking in persons;</p> <p>f) To confiscate, conceal, or destroy the passport, travel documents, or personal documents or belongings of trafficked persons in furtherance of trafficking or to prevent them from leaving the country or seeking redress from the government or appropriate agencies; and</p> <p>g) To knowingly benefit from, financial or otherwise, or make use of, the labor or services of a person held to a condition of involuntary servitude, forced labor, or slavery.</p> <p>- Qualified Trafficking in Persons. - The following are considered as qualified trafficking:</p> <p>a) When the trafficked person is a child;</p> <p>b) When the adoption is effected through Republic Act No. 8043, otherwise known as the "Inter-Country Adoption Act of 1995" and said adoption is for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</p> <p>c) When the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three (3) or more persons, individually or as a group;</p> <p>d) When the offender is an ascendant, parent, sibling, guardian or a person who exercises authority over the trafficked person or when the offense is committed by a public officer or employee;</p> <p>e) When the trafficked person is recruited to engage in prostitution with any member of the military or law enforcement agencies;</p> <p>f) When the offender is a member of the military or law enforcement agencies; and</p> <p>g) When by reason or on occasion of the act of trafficking in persons, the offended party dies, becomes</p>
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			<p>insane, suffers mutilation or is afflicted with Human Immunodeficiency Virus (HIV) or the Acquired Immune Deficiency Syndrome (AIDS).</p> <p>- Who may complain:</p> <ol style="list-style-type: none"> <li>Any person who has personal knowledge of the commission</li> <li>trafficked person</li> <li>parents</li> <li>Spouse</li> <li>Siblings</li> <li>children or legal guardian</li> </ol> <p>- Inter-Agency Council Against Trafficking. * Composed of the Secretary of the Department of Justice as Chairperson and the Secretary of the Department of Social Welfare and Development and (3) representatives from NGOs, who shall be composed of one (1) representative each from among the sectors representing women, overseas Filipino workers (OFWs) and children.</p> <p>- Services to Trafficked Persons.</p> <ol style="list-style-type: none"> <li>Emergency shelter or appropriate housing;</li> <li>Counseling;</li> <li>Free legal services which shall include information about the victims' rights and the procedure for filing complaints, claiming compensation and such other legal remedies available to them, in a language understood by the trafficked person;</li> <li>Medical or psychological services;</li> <li>Livelihood and skills training; and</li> <li>Educational assistance to a trafficked child.</li> <li>Legal Assistance. - Trafficked persons shall be considered under the category "Overseas Filipino in Distress" and may avail of the legal assistance created by Republic Act No. 8042, subject to the guidelines as provided by law.</li> <li>Overseas Filipino Resource Centers. - The services available to overseas Filipinos as provided for by Republic Act No. 8042 shall also be extended to trafficked persons regardless of their immigration status in the host country.</li> <li>Repatriation of Trafficked Persons</li> </ol>
RA 10364 (amendment ↑)	"Expanded Anti-Trafficking in Persons Act of 2012"	Approved: February 6, 2013	<p>- In the new law, the following acts are now considered human trafficking:</p> <ol style="list-style-type: none"> <li>recruitment of domestic/overseas employment for sexual exploitation;</li> <li>forced labor or involuntary debt bondage;</li> <li>recruitment of Filipino woman to marry a foreigner;</li> </ol>

			<p>d) recruitment for sex tourism;  e) recruitment for organ removal; and  f) recruitment of a child to engage in armed activities abroad;</p> <p><b>Three Categories of Trafficking in Persons</b></p> <p><b>1 Acts of Trafficking in Persons</b></p> <p>a) Recruiting, obtaining, hiring, providing, offering, transporting, transferring, maintaining, harbouring, or receiving a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation;</p> <p>b) Recruiting any Filipino woman to marry a foreign national for the purpose of acquiring, buying, offering, selling him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;</p> <p>c) Undertaking or organizing tours and travel plans for the purpose of sex tourism;</p> <p>d) Maintaining or hiring a person for prostitution or pornography;</p> <p>e) Exploiting children in terms of:</p> <ol style="list-style-type: none"> <li>i. Recruiting children for use in armed conflict;</li> <li>ii. Child prostitution/pornography;</li> <li>iii. Using, procuring or offering of a child for the production and trafficking of drugs; and</li> <li>iv. Using, procuring or offering of a child for illegal works or activities.</li> </ol> <p><b>2 Acts that Promote Trafficking</b></p> <p>a) Leasing/sub-leasing, using or allowing any house, building, or establishment for the purpose of trafficking in persons;</p> <p>b) producing, print and issuing unissued, tampered or fake counselling certificates, registration stickers and certificates of any government agency which issue such certificates, for the purpose of trafficking;</p> <p>c) advertising, publishing, printing or broadcasting by any means, including the use of information technology, any propaganda that promotes trafficking in persons;</p> <p>d) facilitating, assisting or helping in the exit and entry of persons from/to the country at international and local airports who have fraudulent travel documents for the purposes of promoting trafficking in persons;</p> <p>e) confiscating, concealing or destroying the passport, travel documents of trafficked persons in furtherance of trafficking to prevent them from leaving the country;</p> <p>f) benefiting from, financial or otherwise, the labor services of a person held to a condition of involuntary servitude, forced labor or slavery; and</p> <p>g) Utilizing his or her office to impede the investigation, prosecution or execution of lawful orders in a case under this Act.</p> <p><b>3 Qualified Trafficking</b></p> <p>*The following are an act of qualified trafficking:</p>
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			<p>a) When the trafficked person is a child;</p> <p>b) When the adoption is for the purpose of prostitution, pornography, sexual exploitation and the like;</p> <p>c) When the crime is committed by a syndicate;</p> <p>d) When the offender is a spouse, an ascendant, parent, sibling, guardian or a person who exercises authority over the trafficked person;</p> <p>e) When the offender is a member of the military or law enforcement agency; and</p> <p>f) When by reason or occasion of the act, the offended party dies, becomes insane, or been afflicted by HIV-AIDS</p> <p>g) When the offender commits one or more violations of Section 4 over a period of sixty or more days, continuous or not; and</p> <p>h) When the offender directs or through another manages the trafficking victim in carrying out exploitative purpose of trafficking.</p> <p>- What is attempted trafficking?  *Under R.A. 10364, attempted trafficking is any act to initiate the commission of a trafficking offense but the offender failed to or did not execute all the elements of the crime due to accident or by reason of some cause other than voluntary desistance.</p> <p>- If the victim is a child, an act be considered attempted trafficking if a person –</p> <p>a) facilitates the travel of a child without clearance from DSWD or parental/legal consent;</p> <p>b) executing affidavit of consent for adoption;</p> <p>c) Recruiting a woman to bear a child; simulating a birth; or soliciting a child and requiring custody through any means from hospital, health centers and the like, all for the purpose of selling the child.</p> <p>- What in an accomplice liability?  *One of the new provisions inserted in this Act provides for the liabilities of an accomplice in trafficking. Under this Act, an accomplice is anyone who knowingly aids, abets, cooperates in the execution of the offense, whether by previous or simultaneous acts, and shall be punished in accordance with this law.</p> <p>- What is an accessory liability?  *An accessory is any person that has the knowledge of the commission of the crime and without having participated therein, takes part in the commission in any of the following manners:</p> <p>a) profiting themselves or assisting the offender to profit by the effects of the crime;</p> <p>b) by concealing or destroying the boy of the crime; and</p> <p>c) by harbouring, concealing or assisting in the escape of the principal of the crime.</p> <p>*An accessory shall be liable to the penalties provided for in this Act.</p>
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			<p>- Who may file a case? *The following persons may file cases of trafficking in persons:</p> <ul style="list-style-type: none"> <li>a) trafficked person;</li> <li>b) the parents, spouse, siblings, children or legal guardian of the trafficked person; and</li> <li>c) Anyone who has personal knowledge of the crime.</li> </ul> <p>- Who may be punished for trafficking in persons? *Any person, natural or juridical, found guilty of trafficking under R.A 10364 may be punished.</p> <ul style="list-style-type: none"> <li>a) If the offender is a corporation, partnership, association, club, establishment or any juridical persons, the penalty shall be imposed upon the owner, president, partner, manager, and/or any responsible officer who participated in the commissions of the crime, or who knowingly permitted or failed to prevent is commission.</li> <li>b) If the offender is a foreigner, he or she shall be immediately deported after serving his/her sentence and barred from entering the country.</li> </ul> <p>- What protection is given to trafficked persons under R.A. 10364?</p> <ul style="list-style-type: none"> <li>a) Trafficked persons shall be considered victims and shall not be penalized for unlawful acts committed.</li> <li>b) The consent of the victim to the intended exploitation is irrelevant; also</li> <li>c) The past sexual behaviour or predisposition of a trafficked person shall be considered inadmissible in evidence of proving consent of the victim to the crime.</li> </ul> <p>- Temporary Custody of Trafficked Victims is also now provided under RA 10364 *rescue of trafficked persons should be under the assistance of DSWD or any accredited NGO that services trafficked victims.</p>
	<p>United Nation Convention on Transitional Organized Crimes (UNTOC)</p>	<p>Entered into force: September 29, 2003</p>	<p>- Protocol Against the Smuggling of Migrants by land, sea and air</p> <p>- Protocol to prevent, suppress and punish trafficking in persons, esp. Women and Children</p> <p>- The text of the Convention, adopted by the General Assembly in 2000 and in force since 2003, is seen by the UN as the main reference for the contemporary fight against illegal cross-border activities. Besides the convention there are three additional protocols that focus on specific topics: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.</p> <p>- There are two important aspects concerning the convention and its protocols.</p> <ol style="list-style-type: none"> <li>1 The first is that this document became a landmark on the subject once it recognizes the issue as a homeland security threat and also as an international security threat, besides establishing a common</li> </ol>

			<p>assessment that the fight against these activities can only be effectively addressed through international cooperation between the countries subjected to this threat.</p> <p>2 The second important aspect concerns the fact that the states that have signed and ratified the text of the Convention to adopt various measures against transnational organized crime, including its criminalization in national legislation and law enforcement procedures related to the accusation, trial, sanctions, jurisdiction, extradition, as well as forms of mutual legal assistance, joint investigations, protection of witnesses and victims. Prevention measures focusing on economic development assistance and technical support were also part of their final draft (UNODC, 2004). Thus, the convention of 2000 should be seen as an effort to promote the interests of UN law enforcement toward internationalization of social norms and ethical standards (ANDREAS; NADELMANN, 2006:173).</p> <p>- The scope of the convention is extremely broad regard to what intend to criminalize internationally. The expected efforts for the prevention, investigation and prosecution cover four types of offenses:</p> <ol style="list-style-type: none"> <li>a) participation in a criminal organization (Article 5);</li> <li>b) involvement in money laundering (Article 6),</li> <li>c) corruption (Article 8)</li> <li>d) or obstruction of justice (Article 23).</li> </ol> <p>- According to the convention (UNODC, 2004:6), a transnational offense occurs if:</p> <ol style="list-style-type: none"> <li>a) It is committed in more than one State;</li> <li>b) It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;</li> <li>c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State; or</li> <li>d) It is committed in one State but has substantial effects in another State.</li> </ol>
RA 9745	"Anti-Torture Act of 2009"	Approved: March 10, 2009	<p>An Act Penalizing Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment</p> <p>- Freedom from Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, An Absolute Right.</p> <p>- A state of war or a threat of war, internal political instability, or any other public emergency, or a document or any determination comprising an "order of battle" shall not and can never be invoked as a justification for torture and other cruel, inhuman and degrading treatment or punishment.</p> <p>- Acts of Torture:</p> <ol style="list-style-type: none"> <li>1 Physical Torture- is a form of treatment or punishment inflicted by a person in authority or agent of a person in authority upon another in his/her custody that causes severe pain, exhaustion, disability or dysfunction of one or more parts of the body.</li> </ol>

			<p>2 Mental/Physical Torture- acts committed by a person in authority or agent of a person in authority which are calculated to affect or confuse the mind and/or undermine a person's dignity and morale.</p> <p>- Prohibited Detention. * Secret detention places, solitary confinement, incommunicado or other similar forms of detention, where torture may be carried out with impunity. Are hereby prohibited.</p> <p>- Institutional Protection of Torture Victims and Other Persons Involved. *A victim of torture shall have the following rights in the institution of a criminal complaint for torture:</p> <ol style="list-style-type: none"> <li>To have a prompt and an impartial investigation by the CHR and by agencies of government concerned such as the Department of Justice (DOJ), the Public Attorney's Office (PAO), the PNP, the National Bureau of Investigation (NBI) and the AFP. A prompt investigation shall mean a maximum period of sixty (60) working days from the time a complaint for torture is filed</li> <li>To have sufficient government protection against all forms of harassment; threat and/or intimidation as a consequence of the filing of said complaint or the presentation of evidence therefor.</li> <li>To be accorded sufficient protection in the manner by which he/she testifies and presents evidence in any fora in order to avoid further trauma.</li> </ol> <p>- Assistance in Filing a Complaint. *The CHR and the PAO shall render legal assistance in the investigation and monitoring and/or filing of the complaint. *The victim or interested party may also seek legal assistance from the Barangay Human Rights Action Center (BRRAC) nearest him/her as well as from human rights nongovernment organizations (NGOs).</p> <p>- Formulation of a Rehabilitation Program. *The Department of Social Welfare and Development (DSWD), the DOJ and the Department of Health (DOH) and such other concerned government agencies, and human rights organizations shall formulate a comprehensive rehabilitation program for victims of torture and their families. *The DSWD, the DOJ and the DOH shall also call on human rights nongovernment organizations duly recognized by the government to actively participate in the formulation of such program that shall provide for the physical, mental, social, psychological healing and development of victims of torture and their families.</p>
RA 10175	"Cybercrime Prevention Act of 2012" / Cybercrime Law	Approved: September 12, 2012	<p>An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and Imposition of Penalties</p> <p>Section 2 – <i>Declaration of Policy.</i></p> <p>- The State recognizes the vital role of information and communications industries such as content production, telecommunications, broadcasting electronic commerce, and data processing, in the nation's overall social and economic development. The State also recognizes the importance of providing an environment conducive to the</p>

development, acceleration, and rational application and exploitation of information and communications technology (ICT) to attain free, easy, and intelligible access to exchange and/or delivery of information; and the need to protect and safeguard the integrity of computer, computer and communications systems, networks, and databases, and the confidentiality, integrity, and availability of information and data stored therein, from all forms of misuse, abuse, and illegal access by making punishable under the law such conduct or conducts. In this light, the State shall adopt sufficient powers to effectively prevent and combat such offenses by facilitating their detection, investigation, and prosecution at both the domestic and international levels, and by providing arrangements for fast and reliable international cooperation.

Section 4 – *Cyber Crime Offenses.*

- a) Offenses against the confidentiality, integrity and availability of computer data and systems
  - 1 Illegal Access - The access to the whole or any part of a computer system without right.
  - 2 Illegal Interception - The interception made by technical means without right of any non-public transmission of computer data to, from, or within a computer system including electromagnetic emissions from a computer system carrying such computer data.
  - 3 Data Interference - The intentional or reckless alteration, damaging, deletion or deterioration of computer data, electronic document, or electronic data message, without right, including the introduction or transmission of viruses.
  - 4 System Interference - The intentional alteration or reckless hindering or interference with the functioning of a computer or computer network by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing computer data or computer program, electronic document, or electronic data message, without right or authority, including the introduction or transmission of viruses.
  - 5 Misuse of Devices - The use, production, sale, procurement, importation, distribution, or otherwise making available, without right, of:
    - i. A device, including a computer program, designed or adapted primarily for the purpose of committing any of the offenses under this Act; or
    - ii. A computer password, access code, or similar data by which the whole or any part of a computer system is capable of being accessed with intent that it be used for the purpose of committing any of the offenses under this Act.
  - 6 Cyber-squatting - The acquisition of a domain name over the internet in bad faith to profit, mislead, destroy reputation, and deprive others from registering the same, if such a domain name is:
    - i. Similar, identical, or confusingly similar to an existing trademark registered with the appropriate government agency at the time of the domain name registration;
    - ii. Identical or in any way similar with the name of a person other than the registrant, in case of a personal name; and
    - iii. Acquired without right or with intellectual property interests in it.
- b) Computer-related offenses

			<ol style="list-style-type: none"> <li>1 Computer-related Forgery- The input, alteration, or deletion of any computer data without right resulting in inauthentic data with the intent that it be considered or acted upon for legal purposes as if it were authentic, regardless whether or not the data is directly readable and intelligible; or the act of knowingly using computer data which is the product of computer-related forgery as defined herein, for the purpose of perpetuating a fraudulent or dishonest design.</li> <li>2 Computer-related Fraud - The unauthorized input, alteration, or deletion of computer data or program or interference in the functioning of a computer system, causing damage thereby with fraudulent intent: Provided, That if no damage has yet been caused, the penalty imposable shall be one (1) degree lower.</li> <li>3 Computer-related Identity Theft - The intentional acquisition, use, misuse, transfer, possession, alteration or deletion of identifying information belonging to another, whether natural or juridical, without right: Provided, That if no damage has yet been caused, the penalty imposable shall be one (1) degree lower.</li> </ol> <p>c) Content-related offenses</p> <ol style="list-style-type: none"> <li>1 Cybersex - The willful engagement, maintenance, control, or operation, directly or indirectly, of any lascivious exhibition of sexual organs or sexual activity, with the aid of a computer system, for favor or consideration.</li> <li>2 Child Pornography - The unlawful or prohibited acts defined and punishable by Republic Act No. 9775 or the Anti-Child Pornography Act of 2009, committed through a computer system. The penalty to be imposed shall be (1) one degree higher than that provided for in Republic Act No. 9775.</li> <li>3 Unsolicited Commercial Communications - The transmission of commercial electronic communication with the use of computer system which seek to advertise, sell, or offer for sale products and services are prohibited unless: <ol style="list-style-type: none"> <li>i. There is prior affirmative consent from the recipient; or</li> <li>ii. The primary intent of the communication is for service and/or administrative announcements from the sender to its existing users, subscribers or customers; or</li> <li>iii. The following conditions are present: <ol style="list-style-type: none"> <li>iv. The commercial electronic communication contains a simple, valid, and reliable way for the recipient to reject receipt of further commercial electronic messages (opt-out) from the same source;</li> <li>v. The commercial electronic communication does not purposely disguise the source of the electronic message; and</li> <li>vi. The commercial electronic communication does not purposely include misleading information in any part of the message in order to induce the recipients to read the message.</li> </ol> </li> </ol> </li> <li>4 Libel - The unlawful or prohibited acts of libel as defined in Article 355 of the Revised Penal Code, as amended, committed through a computer system or any other similar means which may be devised in the future.</li> </ol> <p>Section 5 – <i>Other offenses under R.A. 10175</i></p> <ol style="list-style-type: none"> <li>1 Aiding or Abetting in the Commission of Cybercrime - Any person who willfully abets or aids in the</li> </ol>
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			<p>commission of any of the offenses enumerated in this Act shall be held liable.</p> <p>2 Attempt in the Commission of Cybercrime - Any person who willfully attempts to commit any of the offenses enumerated in R.A. 10175 shall be held liable.</p>
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LAWS FOR SERVICE PROVISION			
NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
RA 7875	"National Health Insurance Act of 1995"	Approved: February 14, 1995	<p>An Act Instituting A National Health Insurance Program for All Filipinos and Establishing the Philippine Health Insurance Corporation</p> <p>Section 2 – <i>Declaration of Principles and Policies.</i> - Section II, Article XIII of the 1987 Constitution of the Republic of the Philippines declares that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. Priority of the needs of the underprivileged, sick, elderly, disabled, women, and children shall be recognized. Likewise, it shall be the policy of the State to provide free medical care to paupers.</p> <p>Section 3 – <i>General Objectives.</i> This Act seeks to: a) provide all citizens of the Philippines with the mechanism to gain financial access to health services; b) create the National Health Insurance Program, hereinafter referred to as the Program, to serve as the means to help the people pay for health care services; c) prioritize and accelerate the provision of health services to all Filipinos, especially that segment of the population who cannot afford such services; and c) establish the Philippine Health Insurance Corporation, hereinafter referred to as the Corporation, that will administer the Program at central and local levels</p>
RA 10606 (amendment ↑)	"National Health Insurance Act of 2013"	Approved: June 19, 2013	<p>Section 2 – <i>Declaration of Principles and Policies.</i> - It is hereby declared the policy of the State to adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost and to provide free medical care to paupers. Towards this end, the State shall provide comprehensive health care services to all Filipinos through a socialized health insurance program that will prioritize the health care needs of the underprivileged, sick, elderly, persons with disabilities (PWDs), women and children and provide free health care services to indigents.</p>
RA 9999	"Free Legal Assistance Act of 2010"	Approved: February 23, 2010	<p>An Act Providing A Mechanism for Free Legal Assistance</p> <p>Section 2. <i>Declaration of Policy.</i> - It is the declared policy of the State to value the dignity of every human person and guarantee the rights of every individual, particularly those who cannot afford the services of legal counsel. - In addition, the State shall guarantee free legal assistance to the poor and ensure that every person who</p>

			<p>cannot afford the services of a counsel is provided with a competent and independent counsel preferably of his/her own choice, if upon determination it appears that the party cannot afford the services of a counsel, and that services of a counsel are necessary to secure the ends of justice and protect of the party.</p> <p><i>Section 3. Definition of Terms.</i></p> <p>- As provided for in this Act, the term legal services to be performed by a lawyer refers to any activity which requires the application of law, legal procedure, knowledge, training and experiences which shall include, among others, legal advice and counsel, and the preparation of instruments and contracts, including appearance before the administrative and quasi-judicial offices, bodies and tribunals handling cases in court, and other similar services as may be defined by the Supreme Court.</p> <p><i>Section 4. Requirements for Availment.</i></p> <p>- For purposes of availing of the benefits and services as envisioned in this Act, a lawyer or professional partnership shall secure a certification from the Public Attorney's Office (PAO), the Department of Justice (DOJ) or accredited association of the Supreme Court indicating that the said legal services to be provided are within the services defined by the Supreme Court, and that the agencies cannot provide the legal services to be provided by the private counsel.</p>
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LAWS RELATED TO HOUSE SETTLEMENTS			
NO. to REMEMBER	TITLE to RECALL	DATE to NOTE	GOOD THINGS to KNOW
BP 220	"Standard Housing"	Approved: March 25, 1982	<p>An Act Authorizing the Ministry of Human Settlements to Establish and Promulgate Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Project in Urban and Rural Areas</p> <p><i>Section 1.</i></p> <p>- It is hereby declared a policy of the Government to promote and encourage the development of economic and socialized housing projects, primarily by the private sector, in order to make available adequate economic and socialized housing units for average and low-income earners in urban and rural areas.</p> <p><i>Section 3.</i></p> <p>- To carry out the foregoing policy, the Ministry of Human Settlements is authorized to establish and promulgate different levels of standards and technical requirements for the development of economic and socialized housing projects and economic and socialized housing units in urban and rural areas from those provided in Presidential Decree Numbered Nine hundred fifty-seven, otherwise known as the "Subdivision and Condominium Buyers' Protective Decree," Presidential Decree Numbered Twelve hundred and sixteen, "Defining Open Space in Residential Subdivision"; Presidential Decree Numbered Ten Hundred and ninety-six, otherwise known as the "National Building Code of the Philippines"; and Presidential Decree Numbered Eleven hundred and eighty-five, otherwise known as the "Fire Code of the Philippines" and the rules and regulations promulgated thereunder, in</p>

			consultation with the Ministry of Public Works and Highways, the Integrated National Police, and other appropriate government units and instrumentalities and private associations.
RA 7279	"Urban Development and Housing Act of 1992"	Approved: March 24, 1992	<p>An Act to Provide for A Comprehensive and Continuing Urban Development and Housing Program, Establish the Mechanism for its Implementation</p> <p>Article 1: Title, Policy, Program and Definition of Terms Section 2 – <i>Declaration of State Policy and Program Objectives.</i></p> <p>- It shall be the policy of the State to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program, hereinafter referred to as the Program, which shall:</p> <ol style="list-style-type: none"> <li>a) Make available to underprivileged and homeless citizens decent housing at affordable cost;</li> <li>b) Provide for rational use and development of urban land;</li> <li>c) Regulate and direct urban growth and expansion towards a dispersed urban net and more balanced urban-rural interdependence;</li> <li>d) Provide for an equitable land tenure system that shall guarantee security of tenure to program beneficiaries but shall respect the rights of small property owners and ensure the payment of just compensation;</li> <li>e) Encourage more effective people's participation in the urban development process; and</li> <li>f) Improve the capability of local government units in undertaking urban development and housing programs and projects.</li> </ol> <p>- Urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner.</p> <p>*No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated.</p> <p>Sec. 3. Definition of Terms. — For purposes of this Act:</p> <ol style="list-style-type: none"> <li>a) Areas for priority development - refers to those areas declared as such under existing statutes and pertinent executive issuances.</li> <li>b) Blighted lands - refers to the areas where the structures are dilapidated, obsolete and unsanitary, tending to depreciate the value of the land and prevent normal development and use of the area.</li> <li>c) Idle lands - refers to non-agricultural lands urban and urbanized areas on which no improvements, as herein defined, have been made by the owner, as certified by the city, municipal or provincial assessor;</li> <li>d) Land assembly or consolidation - refers to the acquisition of lots of varying ownership through purchase or expropriation of the purpose of planned and rational development and socialized housing programs without individual property boundary restrictions;</li> <li>e) Land banking - refers to the acquisition of land at values based on existing use in advance of actual need to promote planned development and socialized housing programs;</li> </ol>

			<p>f) Land swapping - refers to the process of land acquisition by exchanging land for another piece of land of equal value, or for shares of stock in a government or quasi-government corporation whose book value is of equal value to the land being exchanged</p> <p>g) Land use plan - refers to the rational approach of allocating available resources as equitably as possible among competing user groups and for different functions consistent with the development plan of the area and the Program under this Act;</p> <p>h) On-site development - refers to the process of upgrading and rehabilitation of blighted slum urban areas with a view of minimizing displacement of dwellers in said areas, and with provisions for basic services as provided for in Section 21 hereof;</p> <p>i) Professional squatters - refers to individuals or groups who occupy lands without the express consent of the landowner and who have sufficient income for legitimate housing. The term shall also apply to persons who have previously been awarded homelots or housing units by the Government but who sold, leased or transferred the same to settle illegally in the same place or in another urban area, and non-bona fide occupants and intruders of lands reserved for socialized housing.</p> <p>j) Slum Improvement and Resettlement Program or SIR - refers to the program of the National Housing Authority of upgrading and improving blighted squatter areas outside of Metro Manila pursuant to existing statutes and pertinent executive issuances;</p> <p>k) Socialized housing - refers to housing programs and projects covering houses and lots or homelots only undertaken by the Government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with the provisions of this Act;</p> <p>l) Squatting syndicates - refers to groups of persons engaged in the business of squatter housing for profit or gain;</p> <p>m) Zonal Improvement Program or ZIP - refers to the program of the National Housing Authority of upgrading and improving blighted squatters areas within the cities and municipalities of Metro Manila pursuant to existing statutes and pertinent executive issuances.</p> <p>Article 3: National Urban Development and Housing Framework  Section 6 – <i>Framework for Rational Development.</i>  - A comprehensive plan for urban and urbanizable areas to serve as basis for achieving the objectives of the law  - Formulated by the Housing and Land Use Regulatory Board (HLURB) under the direction of the Housing and Urban Development Coordination Council (HUDCC) in coordination with all local government units and other concerned public and private sectors</p> <p>Article 5: Socialized Housing  Section 16 – <i>Eligibility Criteria for Socialized Housing Program Beneficiaries.</i></p>
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			<ul style="list-style-type: none"> <li>a) Must be a Filipino citizen;</li> <li>b) Must be an underprivileged and homeless citizen;</li> <li>c) Must not own any real property whether in the urban or rural areas; and</li> <li>d) Must not be a professional squatter or a member of squatting syndicates</li> </ul> <p>Section 21 — Basic Services.</p> <ul style="list-style-type: none"> <li>a) Potable water;</li> <li>b) Power and electricity and an adequate power distribution system;</li> <li>c) Sewerage facilities and an efficient and adequate solid waste disposal system; and</li> <li>d) Access to primary roads and transportation facilities.</li> </ul> <p>Article 7: Urban Renewal and Resettlement</p> <p>Section 28 — <i>Eviction and Demolition.</i></p> <p>- Eviction or demolition as a practice shall be discouraged. Eviction or demolition, however, Eviction or demolition may be allowed only when:</p> <ul style="list-style-type: none"> <li>a) persons/entities occupy danger areas/public places</li> <li>b) place occupied is a government infrastructure project site</li> <li>c) there is a court order for eviction or demolition</li> </ul> <p>- In the execution of eviction or demolition orders involving underprivileged and homeless citizens, the following shall be mandatory:</p> <ol style="list-style-type: none"> <li>1 Notice upon the effected persons or entities at least thirty (30) days prior to the date of eviction or demolition;</li> <li>2 Adequate consultations on the matter of settlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated;</li> <li>3 Presence of local government officials or their representatives during eviction or demolition;</li> <li>4 Proper identification of all persons taking part in the demolition;</li> <li>5 Execution of eviction or demolition only during regular office hours from Mondays to Fridays and during good weather, unless the affected families consent otherwise;</li> <li>6 No use of heavy equipment for demolition except for structures that are permanent and of concrete materials;</li> <li>7 Proper uniforms for members of the Philippine National Police who shall occupy the first line of law enforcement and observe proper disturbance control procedures; and</li> <li>8 Adequate relocation, whether temporary or permanent: Provided, however, That in cases of eviction and demolition pursuant to a court order involving underprivileged and homeless citizens, relocation shall be undertaken by the local government unit concerned and the NHA with the assistance of other government agencies within 45 days from service of notice of final judgment by the court, after which period the said order shall be executed: Provided, further, That should relocation not be possible within the said period,</li> </ol>
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			financial assistance in the amount equivalent to the prevailing minimum daily wage multiplied by sixty (60) days shall be extended to the affected families by the local government unit concerned.
RA 7835	"Comprehensive and Integrated Shelter Financing Act of 1994"	Approved: December 16, 1994	<p>An Act Providing for A Comprehensive and Integrated Shelter and Urban Development Financing Program by Increasing and Regularizing the Yearly Appropriation of the Major Components of the National Shelter Program...</p> <p>- The Major Components of National Shelter Program an Its Implementation:</p> <p>1 Resettlement Program</p> <p>* Target Beneficiaries: families displaced by government infrastructure projects; those occupying danger areas such as waterways, esteros, railroad tracks, etc.; and, those qualified for relocation and resettlement assistance under UDHA</p> <p>* It has 3 types of program delivery scheme:</p> <p>a) NHA-Administered Resettlement Program</p> <p>b) Resettlement Assistance Program for Local Government Units (the LGUs shall provide the land while the NHA provides funds for land development)</p> <p>c) Resettlement Program with Other Government Agencies and the Private Sector (may include 20% balanced housing by developers)</p> <p>2 Medium-Rise Public and Private Housing</p> <p>*Target Beneficiaries:</p> <p>a) For Medium-rise Public Housing: city relocation alternative for families affected by relocation activities and qualified for assistance under UDHA</p> <p>b) For Medium-rise Private Housing: housing option to low-income families and to provide rental housing stock in high-density urban areas</p> <p>i. Implementor: National Housing Authority with the participation of other government agencies, local government units and the private sector</p> <p>ii. Manner of Acquisition: units are to be disposed either through: outright sale or lease, depending on the affordability of the beneficiaries</p> <p>3 Community Mortgage Program</p> <p>* Governed by all existing CMP guidelines issued by National Home Mortgage Finance Corporation (NHMFC)</p> <p>* Key Players: NHMFC - primary implementor</p> <p>* Gov't. agencies, LGUs, NGOs and POs as originators</p> <p>4 Cost-Recoverable Programs</p> <p>* These programs shall involve the development of sites with housing component and the provision of serviced homelots through joint-venture schemes with the private sector or local government units. Program beneficiaries shall fully repay on installment basis the financial assistance granted for the purchase of the housing units.</p>

			<p>5 Local Housing Program</p> <ul style="list-style-type: none"><li>* Purpose: o ensure the equitable distribution of housing benefits nationwide</li><li>* Scope: selected urban and urbanizable areas in all congressional districts</li><li>* Criteria for the selection of sites shall be formulated by the HUDCC and NHA</li></ul>
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*Edited by: Ms. Jumelle Pearl Mariano*