



SENATE

S. No. 1402

INTRODUCED BY SENATOR PANGILINAN

AN ACT ESTABLISHING A COMPREHENSIVE JUVENILE WELFARE AND RESTORATIVE SYSTEM, CREATING THE OFFICE OF JUVENILE JUSTICE AND RESTORATIVE SYSTEM UNDER THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

1

Title I.

2

GOVERNING PRINCIPLES

3

IN THE ADMINISTRATION OF JUVENILE JUSTICE

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Chapter 1. Title, Policy and Definition of Terms

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SECTION 1. *Title and Scope.* – This Act shall be known as

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the “*Juvenile Welfare and Restorative System Act of 2005.*” It shall

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cover the different stages involving child at risk and Children in

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Conflict with the Law from prevention to rehabilitation and

9

reintegration.

1 SEC. 2. *Declaration of State Policy.* – The following State
2 policies shall be observed at all times:

3 (a) The State recognizes the vital role of children and youth
4 in nation building and shall promote and protect their physical,
5 moral, spiritual, intellectual and social well-being. It shall inculcate
6 in the youth patriotism and nationalism, and encourage their
7 involvement in public and civic affairs.

8 (b) The State shall adopt measures without resorting to
9 judicial proceedings and also without resorting to any proceeding
10 under any of the pillars of the criminal justice system.

11 (c) The State shall protect the best interests of the child
12 through measures that will ensure the observance of international
13 standards of child protection, especially those of which the
14 Philippines is a signatory. Proceedings before any authority shall be
15 conducted in the best interest of the child and in a manner which
16 allows the child to participate and to express himself/herself freely.
17 The participation of children in the program and policy formulation
18 and implementation related to juvenile justice and intervention
19 program shall be ensured by the concerned government agency.

20 (d) The State likewise recognizes the right of children to
21 assistance, including proper care and nutrition, and special

1 protection from all forms of neglect, abuse, cruelty and exploitation,
2 and other conditions prejudicial to their development.

3 (e) Pursuant to Article 40 of the United Nations Convention
4 on the Rights of the Child, the State recognizes the right of every
5 child alleged as, accused of, adjudged, or recognized as, having
6 infringed the penal law to be treated in a manner consistent with the
7 promotion of the child's sense of dignity and worth, taking into
8 account the child's age and desirability of promoting his/her
9 reintegration. Whenever appropriate and desirable, the State shall
10 adopt measures for dealing with such children without resorting to
11 judicial proceedings, providing that human rights and legal
12 safeguards are fully respected. It shall ensure that children are dealt
13 with in a manner appropriate to their well-being by providing for,
14 among others, a variety of disposition measures such as care,
15 guidance and supervision orders, counseling, probation, foster
16 care, education and vocational training programs and other
17 alternatives to institutional care.

18 (f) The administration of juvenile justice shall take into
19 consideration the cultural and religious perspective of the Filipino
20 people, particularly the indigenous peoples and the Muslims,
21 consistent with the protection of the rights of children belonging to
22 these communities.

1 SEC. 3. *Definition of Terms.* – The following terms as used
2 in this Act shall be defined as follows:

3 (1) *Bail* – shall refer to the security given for the release of
4 the person in custody of the law, furnished by him/her
5 or a bondsman, to guarantee his/her appearance before
6 any court. Bail may be given in the form of corporate
7 security, property bond, cash deposit, or recognizance.

8 (2) *Child* – shall refer to a person under the age of eighteen
9 (18) years.

10 (3) *Child in Conflict with the Law* – shall refer to a child
11 who is alleged as, accused of, or adjudged as, having
12 committed an offense under Philippine laws.

13 (4) *Child at Risk* – shall refer to a child who is vulnerable
14 to, and at the risk of, committing criminal offenses
15 because of personal, family and social circumstances,
16 such as, but not limited to, the following:

17 (a) being abused by any person through sexual,
18 physical, psychological, mental, economic or
19 any other means and the parents or guardian
20 refuse, are unwilling, or unable to provide
21 protection for the child;

- 1 (b) being exploited including sexually or
- 2 economically;
- 3 (c) being abandoned or neglected, and after
- 4 diligent search and inquiry the parent or
- 5 guardian cannot be found;
- 6 (d) coming from a dysfunctional or broken family
- 7 or without a parent or guardian;
- 8 (e) being out-of-school;
- 9 (f) being a streetchild;
- 10 (g) being a member of a gang; or
- 11 (h) living in a community with a high level of
- 12 criminality or drug abuse.
- 13 (5) *Community-based Programs* – shall refer to the
- 14 programs provided in a community setting
- 15 developed for the purposes of delinquency
- 16 prevention and diversion, as well as rehabilitation
- 17 of the Child in Conflict with the Law, for
- 18 reintegration into his/her family and/or community.
- 19 (6) *Deprivation of liberty* – shall refer to any form of
- 20 detention or imprisonment, or to the placement of a
- 21 Child in Conflict with the Law in a public or private
- 22 custodial setting, from which the Child in Conflict

1 with the Law is not permitted to leave at will by
2 order of any judicial or administrative authority.

3 (7) *Diversion* – shall refer to an alternative, child-
4 appropriate process of determining the
5 responsibility and treatment of a Child in Conflict
6 with the Law on the basis of his/her social, cultural,
7 economic, psychological or educational background
8 without resorting to formal court adjudication.

9 (8) *Diversion program* – shall refer to the program that
10 the Child in Conflict with the Law is required to
11 undergo after he/she is found responsible for an
12 offense without resorting to formal court litigation.

13 (9) *Initial contact with the child* – shall refer to the
14 intake of a Child in Conflict with the Law by social
15 workers from government or non-government
16 agencies.

17 (10) *Juvenile Intervention Program* – refers to juvenile
18 delinquency prevention programs and other
19 appropriate programs for children at risk and
20 Children in Conflict with the Law.

21 (11) *Juvenile Justice System* – shall refer to proceedings
22 of criminal avoidance outside the criminal justice

1 system as well as to judicial proceedings involving
2 Children in Conflict with the Law for heinous
3 offenses.

4 (12) *Offense* – shall refer to any act or omission whether
5 punishable under special laws or the Revised Penal
6 Code, as amended.

7 (13) *Recognizance* – shall refer to an undertaking in lieu
8 of a bond assumed by a parent or custodian who
9 shall be responsible for the appearance in court of
10 the Child in Conflict with the Law, when required.

11 (14) *Records* – shall refer to documents and pieces of
12 evidence which may be in the files of the National
13 Bureau of Investigation, with any police
14 department, or any other government agency which
15 may have been involved in the case.

16 (15) *Restorative Justice* – shall refer to a framework of
17 resolving conflicts with maximum involvement of
18 the victim for obtaining reparation, reconciliation of
19 the offender party, the offended and the community
20 and an assurance to the offender that he/she can be
21 reintegrated into the society. This framework
22 promotes accountability and responsibility,

1 competency development and children's safety. It
2 also enhances public safety by activating the
3 offender, the victim and the community in
4 prevention strategies.

5 (16) *Status offenses* – shall refer to offenses which
6 discriminate only against a child when an adult does
7 not suffer any penalty for committing similar acts.
8 These shall include curfew violations, truancy,
9 parental disobedience and the like.

10 (17) *Youth Detention Home* – shall refer to a twenty-four
11 (24) hour child-caring institution, monitored by the
12 DSWD, providing short-term residential care for
13 Children in Conflict with the Law who are
14 awaiting court disposition of their cases or transfer
15 to other agencies or jurisdiction.

16 (18) *Youth Rehabilitation Center* – shall refer to a
17 facility for the youth monitored by the DSWD that
18 provides twenty-four (24) hour group care,
19 treatment and rehabilitation services under the
20 guidance of a trained staff where residents are cared
21 for under a structured therapeutic environment with
22 the end view of reintegrating them into their

1 families and communities as socially functioning
2 individuals.

3 (19) *Victimless Crimes* – shall refer to offenses where
4 there is no private offended party.

5 Chapter 2. Framework and Principles in the Administration of
6 Juvenile Justice

7 SEC. 4. *Framework of Restorative Justice*. – This Act shall
8 adopt the framework of restorative justice in dealing with Children
9 in Conflict with the Law.

10 SEC. 5. *Rights of the Child in Conflict with the Law*. –
11 Every Child in Conflict with the Law shall have the following
12 rights:

13 (1) the right to humane treatment from the time of
14 apprehension of law enforcement officers and initial
15 contact with social workers or mental health
16 professionals through the intake and assessment
17 procedures, or for heinous crimes, from the time of
18 initial contact with the criminal justice system.
19 Officers or staff involved, which include social
20 workers, psychologists, psychiatrists, and law
21 enforcement officers, shall have the following
22 duties: (a) Must properly identify himself/herself to

1 the Child in Conflict with the Law; (b) Must not use
2 vulgar or profane words; (c) Must not sexually
3 harass or in any way abuse the Child in Conflict
4 with the Law; (d) must avoid the display or use of
5 any firearm or weapon or other instruments of force
6 or restraint unless absolutely necessary; (e) Must
7 notify the parents or nearest relative of the Child in
8 Conflict with the Law and the local social welfare
9 officer as soon as the apprehension is made; (f)
10 Must take the Child in Conflict with the Law to
11 any available government medical or health officer
12 for a physical and mental examination; and (g)
13 Must keep the Child in Conflict with the Law in
14 quarters separate from that of the opposite sex and
15 adults;

16 (2) the right to be fingerprinted and photographed in a
17 manner that is not humiliating and degrading;

18 (3) the right to have a complete and full case study
19 report on him/her undertaken by the social worker/s
20 assigned to his/her case;

- 1 (4) the right to be furnished a copy of the approved
2 resolution in the preliminary investigation
3 conducted by the prosecutor;
- 4 (5) the right to bail and recognizance, in appropriate
5 cases;
- 6 (6) the right to diversion if he/she is qualified and
7 he/she voluntarily avails of the same;
- 8 (7) in addition to the constitutional rights of a person
9 accused of a crime, the right to testify as a witness
10 in his/her own behalf under the rule on examination
11 of the child witness;
- 12 (8) the right to have his/her privacy respected fully at
13 all stages of the proceedings;
- 14 (9) the right to be imposed a judgment in proportion to
15 the gravity of the offense where his/her best
16 interests, the rights of the victim and the needs of
17 society under the principle of restorative justice are
18 all taken into consideration by the court;
- 19 (10) the right to have restrictions on his/her personal
20 liberty limited to the minimum, and where
21 discretion is given by law to the judge to determine
22 whether to impose fine or imprisonment, the

- 1 imposition of fine preferred as the more appropriate
2 penalty;
- 3 (11) the right not be imposed corporal punishment;
- 4 (12) the right to automatic suspension of sentence;
- 5 (13) the right to probation as alternative to
6 imprisonment, if qualified under the probation law;
- 7 (14) the right to confidentiality of the proceedings and
8 records and to the sealing thereof;
- 9 (15) the right to be free from liability for perjury,
10 concealment or misrepresentation;
- 11 (16) the right against branding or labeling with
12 derogatory appellations such as criminal,
13 delinquent, prostitute or vagrant;
- 14 (17) the right against discriminatory remarks and
15 practices, particularly with respect to his/her social
16 or economic status, physical or ethnic origin; and
- 17 (18) other rights as provided under existing laws and
18 rules.

19 At all times, a Child in Conflict with the Law shall be
20 completely separated from adult offenders. No child shall be
21 detained together with adult offenders. He/she shall be conveyed

1 separately from adult offenders to or from court. He/she shall await
2 the hearing of his/her case in a separate holding area.

3 The State further adopts the provisions of the United
4 Nations Standard Minimum Rules for the Administration of
5 Juvenile Justice or “Beijing Rules”, United Nations Guidelines for
6 the Prevention of Juvenile Delinquency or the “Riyadh Guidelines”,
7 and the United Nations Rules for the Protection of Juveniles
8 Deprived of Liberty.

9 SEC. 6. *Minimum Age of Criminal Responsibility.* – A
10 child fifteen (15) years of age or under at the time of the
11 commission of the offense shall be exempt from criminal liability.
12 However, he/she shall be subjected to an intervention program
13 pursuant to Section 20 of this Act.

14 A child above fifteen (15) years but below eighteen (18)
15 years of age shall likewise be exempt from criminal liability and be
16 subjected to an intervention program, unless he/she has acted with
17 discernment, in which case, such child shall be subjected to the
18 appropriate proceedings in accordance with this Act.

19 The exemption from criminal liability herein established
20 does not include exemption from civil liability, which shall be
21 enforced in accordance with existing laws.

1 SEC. 7. *Determination of Age.* – The Child in Conflict with
2 the Law enjoys the presumption of minority. He/she shall enjoy all
3 the rights of a Child in Conflict with the Law until he/she is proven
4 to be eighteen (18) years old or older. The age of a child may be
5 determined from the child’s birth certificate, baptismal certificate or
6 any other pertinent documents. In the absence of these documents,
7 age may be based on information from the child himself/herself,
8 testimonies of other persons, the physical appearance of the child
9 and other relevant evidence. In case of doubt as to the age of the
10 child, it shall be resolved in his/her favor.

11 Any person contesting the age of the Child in Conflict with
12 the Law prior to the filing of the information in any appropriate
13 court may file a case in a summary proceeding for the determination
14 of age before the Family Court which shall decide the case within
15 twenty four (24) hours from receipt of the appropriate pleadings of
16 all interested parties.

17 If a case has been filed against the Child in Conflict with the
18 Law and is pending in the appropriate court, the person shall file a
19 motion to determine the age of the child in the same court where the
20 case is pending. Pending hearing on the said motion, proceedings
21 on the main case shall be suspended.

1 In all proceedings, law enforcement officers, prosecutors,
2 judges and other government officials concerned shall exert all
3 efforts at determining the age of the Child in Conflict with the Law.

4 TITLE II.
5 STRUCTURES IN THE ADMINISTRATION OF
6 JUVENILE JUSTICE AND RESTORATIVE SYSTEM

7 SEC. 8. *Office of the Juvenile Welfare and Restorative*
8 *System (OJWRS).* – An Office of the Juvenile Welfare and
9 Restorative System is hereby created and established under the
10 Department of Social Welfare and Development (DSWD) headed
11 by an Administrator, who shall be the Secretary of Social Welfare
12 and Development, to oversee the implementation of this Act and to
13 ensure coordination among the following agencies:

- 14 (1) Council for the Welfare of Children (CWC);
- 15 (2) Department of Justice (DOJ);
- 16 (3) Department of Education (DepEd);
- 17 (4) Department of Interior and Local Government
18 (DILG);
- 19 (5) Public Attorney's Office (PAO);
- 20 (6) Bureau of Corrections (BUCOR);
- 21 (7) Parole and Probation Administration (PPA);
- 22 (8) National Bureau of Investigation (NBI);
- 23 (9) Philippine National Police (PNP);

- 1 (10) Bureau of Jail Management and Penology (BJMP);
- 2 (11) Commission on Human Rights (CHR);
- 3 (12) Technical Education and Skills Development
- 4 Authority (TESDA);
- 5 (13) National Youth Commission (NYC); and
- 6 (14) Other institutions focused on juvenile justice and
- 7 intervention programs.

8 The OJWRS shall coordinate with the Office of the Court
9 Administrator and the Philippine Judicial Academy to ensure the
10 realization of its mandate and the proper discharge of its duties and
11 functions, as herein provided.

12 The OJWRS shall be created within one (1) year from the
13 effectivity of this Act. The Secretary of Social Welfare and
14 Development shall determine the organizational structure and
15 staffing pattern of the Office.

16 *SEC. 9. Duties and Functions of the OJWRS.* – The OJWRS
17 shall have the following duties and functions:

- 18 (1) To oversee and supervise the implementation of this
- 19 Act;
- 20 (2) To advise the President through the Secretary of
- 21 Social Welfare and Development on all matters and

- 1 policies relating to juvenile justice and intervention
2 program;
- 3 (3) To assist agencies concerned with the administration
4 of juvenile justice in the development of regulations
5 in accordance with the policies and provisions of this
6 Act;
- 7 (4) To periodically develop a comprehensive three (3) to
8 five (5)-year national juvenile intervention program,
9 with the participation of government agencies
10 concerned, non-government organizations (NGOs)
11 and youth organizations;
- 12 (5) To coordinate the implementation of the juvenile
13 intervention programs and activities by national
14 government agencies and other activities which may
15 have an important bearing on the success of the entire
16 national juvenile intervention program. All programs
17 relating to juvenile justice and intervention shall be
18 adopted in consultation with the OJWRS.
- 19 (6) To formulate and recommend policies and strategies
20 in consultation with children themselves for the
21 prevention of juvenile delinquency and the
22 administration of justice, as well as for the treatment

1 and rehabilitation of the Children in Conflict with the
2 Law;

3 (7) To collect relevant information and conduct a
4 continuing research and support evaluations and
5 studies on all matters relating to juvenile justice, such
6 as, but not limited to:

7 (a) the performance and results achieved by
8 juvenile intervention programs and by
9 activities of the local government units and
10 other government agencies;

11 (b) the periodic trends, problems and causes of
12 juvenile delinquency and crime; and

13 (c) the particular needs of Children in Conflict
14 with the Law in custody.

15 The data gathered shall be used by the
16 OJWRS in the improvement of the administration
17 of juvenile justice.

18 The OJWRS shall set up a mechanism to
19 ensure that children themselves are involved in
20 research and policy development.

21 (8) Through duly designated persons and with the
22 assistance of the agencies provided in the preceding

1 section, to conduct regular inspection in detention
2 and rehabilitation facilities and to undertake spot
3 inspection on their own initiative in order to check
4 compliance with the standards provided herein and to
5 make the necessary recommendations to appropriate
6 agencies;

7 (9) To initiate and coordinate the conduct of trainings for
8 the personnel of the agencies involved in the
9 administration of the juvenile justice system and the
10 juvenile intervention program;

11 (10) To submit an annual report to the President, through
12 the Secretary of Social Welfare and Development, on
13 the implementation of this Act; and

14 (11) To perform such other functions as may be necessary
15 to implement the provisions of this Act.

16 *SEC. 10. Policies and Procedures on Juvenile Delinquency*
17 *Prevention.* – All government agencies provided in Section 9 shall,
18 with the assistance of the OJWRS and within one (1) year from the
19 effectivity of this Act, draft policies and procedures consistent with
20 the standards set in the law. These policies and procedures shall be
21 modified accordingly in consultation with the OJWRS upon the

1 detained in rehabilitation centers, they should be provided the
2 opportunity to continue learning under an alternative learning
3 system with basic literacy program or non-formal education
4 accreditation equivalency system.

5 SEC. 14. *The Role of the Mass Media.* - The mass media
6 shall play an active role in the promotion of child rights, and
7 delinquency prevention by relaying consistent messages through a
8 balanced approach. Media practitioners shall, therefore, have the
9 duty to maintain the highest critical and professional standards in
10 reporting and covering cases of Children in Conflict with the Law.
11 In all publicity concerning children, the best interests of the child
12 should be the primordial and paramount concern. Any undue,
13 inappropriate and sensationalized publicity of any case involving a
14 Child in Conflict with the Law is hereby declared a violation of
15 his/her rights.

16 SEC. 15. *Establishment and Strengthening of Local*
17 *Councils for the Protection of Children.* - Local Councils for the
18 Protection of Children (LCPCs) shall be established in all levels of
19 local government and strengthened, where they have already been
20 established, within one (1) year from the effectivity of this Act.
21 Each local council shall be headed by the local social welfare and
22 development officer and shall be composed of responsible members

1 of the community, including a representative of the youth, local
2 government unit concerned, and an NGO or private agency
3 concerned with the welfare of children.

4 These councils shall coordinate with and assist the local
5 government unit concerned in adopting a comprehensive juvenile
6 intervention program and be the primary agency to oversee its
7 implementation.

8 One percent (1%) of the internal revenue allotment of
9 barangays, municipalities and cities shall be allocated for the
10 strengthening and implementation of the programs of the LCPCs:
11 *Provided*, That the disbursement of the fund shall be by the local
12 government unit concerned.

13 SEC. 16. *Appointment of Local Social Welfare and*
14 *Development Officer.* - All local government units shall appoint a
15 duly licensed social worker as its local social welfare and
16 development officer tasked to assist Children in Conflict with the
17 Law.

18 SEC. 17. *The Sangguniang Kabataan.* - The Sangguniang
19 Kabataan (SK) shall coordinate with the LCPCs in the formulation
20 and implementation of juvenile intervention and diversion programs
21 in the community.

22 Chapter 2. Comprehensive Juvenile Intervention Program

1 SEC. 18. *Development of A Comprehensive Juvenile*
2 *Intervention and Restorative Program.* – Comprehensive juvenile
3 intervention and restorative program covering at least a three (3) –
4 year period shall be instituted in local government units from the
5 barangay to the provincial level.

6 The local government units shall set aside an amount
7 necessary to implement their respective juvenile intervention and
8 restorative programs in their annual budget.

9 The local government unit, in coordination with the LCPC,
10 shall call on all sectors concerned, particularly the child-focused
11 institutions, NGOs, people’s organizations, educational institutions
12 and government agencies involved in delinquency prevention to
13 participate in the planning process and implementation of juvenile
14 intervention and restorative programs. Such programs shall be
15 implemented consistent with the national program formulated and
16 designed by the OJWRS.

17 The implementation of the comprehensive juvenile
18 intervention and restorative program shall be reviewed and assessed
19 yearly by the local government units in coordination with the
20 LCPCs. Results of the assessment shall be submitted by the
21 provincial and city governments to the OJWRS not later than March
22 30 of every year.

JUVENILE JUSTICE SYSTEM

Chapter 1. Initial Contact with the Child

SEC. 21. *Procedure During Initial Contact with the Child.*

– From the moment of initial contact with the child, the law enforcement officer shall:

- (1) Explain to the child in simple language and in a dialect that he/she can understand why he/she is being placed under custody and the offense that he/she allegedly committed;
- (2) Inform the child of the reason for such custody and advise him/her of his/her constitutional rights in a language or dialect understood by him/her;
- (3) Properly identify himself/herself and present proper identification to the child;
- (4) Refrain from using vulgar or profane words and from sexually harassing or abusing, or making sexual advances on the Child in Conflict with the Law;
- (5) Avoid displaying or using any firearm, weapon, handcuffs or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;

- 1 (6) Refrain from subjecting the Child in Conflict with the
2 Law to greater restraint than is necessary for his/her
3 apprehension;
- 4 (7) Avoid violence or unnecessary force;
- 5 (8) Determine the age of the child pursuant to Section 8
6 of this Act; and
- 7 (9) Within eight (8) hours after apprehension, notify the
8 child's parents/guardians, local social welfare and
9 development officer and public attorney's office of
10 the child's apprehension. The local social welfare and
11 development officer shall explain to the child and
12 his/her parents/guardians the consequences of his/her
13 act with a view towards counseling and rehabilitation,
14 diversion from the criminal justice system, and
15 reparation, if appropriate;
- 16 (10) Take the child immediately to the proper medical and
17 health officer for a thorough physical and mental
18 examination. The examination results shall be kept
19 confidential unless otherwise ordered by the Family
20 Court. Whenever the medical treatment is required,
21 steps shall be immediately undertaken to provide the
22 same;

1 (11) Ensure that should detention of the Child in Conflict
2 with the Law be necessary, the child shall be secured
3 in quarters separate from that of the opposite sex and
4 adult offenders;

5 *Provided, That, a Child in Conflict with the Law shall*
6 *only be searched by a law enforcement officer of the same*
7 *gender.*

8 (12) Record the following in the initial investigation:

9 (a) Whether handcuffs or other instruments of
10 restraint were used, and if so, the reason for
11 such;

12 (b) That the parents or guardian of a child, the
13 DSWD, and the PAO have been duly informed
14 of the apprehension and the details thereof;

15 (c) The exhaustion of measures to determine the
16 age of a child and the precise details of the
17 physical and medical examination or the failure
18 to submit a child to such examination; and

19 (13) Ensure that all statements signed by the child during
20 investigation shall be witnessed by his/her parents or
21 guardian, social worker, or legal counsel in attendance
22 who shall affix his/her signature to the said statement.

1 SEC. 22. *Duties During Initial Investigation* –The law
2 enforcement officer shall, in his/her investigation, determine where
3 the case involving the Child in Conflict with the Law should be
4 referred.

5 The taking of the statement of the child shall be conducted
6 in the presence of the following: (1) child’s counsel of choice or in
7 the absence thereof, a lawyer from the Public Attorney’s Office; (2)
8 the child’s parents, guardian, or nearest relative, as the case may be;
9 and (3) the local social welfare and development officer. In the
10 absence of the child’s parents, guardian, or nearest relative, and the
11 local social welfare and development officer, the investigation shall
12 be conducted in the presence of a representative of a non-
13 government organizations, religious group, or member of the
14 Barangay Council for the Protection of Child (BCPC).

15 After the initial investigation, the local social worker
16 conducting the same may do either of the following:

17 (1) Proceed in accordance with Section 21 if the child
18 is fifteen (15) years or below or above fifteen (15)
19 but below eighteen (18) years old, who acted
20 without discernment;

1 social welfare and development officer shall meet
2 with the child and his/her parents or guardians for
3 the development of the appropriate diversion and
4 rehabilitation program, in coordination with the
5 BCPC;

6 (3) Where the imposable penalty for the crime
7 committed exceeds six (6) years imprisonment,
8 diversion measures may be resorted to by the court.

9 SEC. 24. *Stages Where Diversion May be Conducted.* –
10 Diversion may be conducted at the Katarungang Pambarangay, the
11 police investigation or the inquest or preliminary investigation stage
12 and at all levels and phases of the proceedings including judicial
13 level.

14 SEC. 25. *Conferencing, Mediation and Conciliation.* - A
15 Child in Conflict with Law may undergo conferencing, mediation or
16 conciliation outside the criminal justice system or prior to his entry
17 into said system. A contract of restoration, child intervention, child
18 protection or child welfare may be entered into during such
19 conferencing, mediation or conciliation proceedings.

20 SEC. 26. *Contract of Diversion.* – If during the
21 conferencing, mediation or conciliation, the child voluntarily admits
22 the commission of the act, a diversion program shall be developed

1 when appropriate and desirable as determined under Section 30.
2 Such admission shall not be used against the child in any subsequent
3 judicial, quasi-judicial or administrative proceedings. The diversion
4 program shall be effective and binding if accepted by the parties
5 concerned. It shall be in writing and signed by the parties
6 concerned and the appropriate authorities. The local social welfare
7 and development officer shall supervise the implementation of the
8 diversion program. The diversion proceedings shall be completed
9 within forty-five (45) days. The period of prescription of the
10 offense shall be suspended during the forty-five (45) day period.

11 The child shall present himself/herself to the competent
12 authorities that imposed the diversion program at least once a month
13 for reporting and evaluation of the effectiveness of the program.

14 Failure to comply with the terms and conditions of the
15 contract of diversion, as certified by the local social welfare
16 development officer, shall give the offended party the option to
17 institute the appropriate legal action.

18 The period of prescription of the offense shall be suspended
19 during the effectivity of the diversion program, but not exceeding a
20 period of two (2) years.

21 *SEC. 27. Duty of the Punong Barangay When There is No*
22 *Diversion.* – Where the offense does not fall under Section 24 (1)

1 and (2), or if the child, his/her parents or guardian or the offended
2 party does not consent to a diversion, the Punong Barangay
3 handling the case shall forward the records of the case of the child
4 to the law enforcement officer, prosecutor or the appropriate court,
5 as the case may be.

6 SEC. 28. *Duty of the Law Enforcement Officer When There*
7 *is No Diversion.* – Where the offense does not fall under Section 24
8 (1) and (2), or if the child, his/her parents or guardian or the
9 offended party does not consent to a diversion, the Women and
10 Children Protection Desk of the Philippine National Police, or other
11 law enforcement officer handling the case shall forward the records
12 of the case of the child under custody, to the prosecutor or judge
13 concerned for the conduct of inquest and/or preliminary
14 investigation to determine whether or not the child should remain
15 under custody and correspondingly charged in court. The document
16 transmitting said records shall display the word “CHILD” in bold
17 letters.

18 SEC. 29. *Factors in Determining Diversion Program.* – In
19 determining whether diversion is appropriate and desirable, the
20 following factors shall be taken into consideration:

- 21 (1) The nature and circumstances of the offense charged;
22 (2) The frequency and the severity of the act;

- 1 (3) The circumstances of the child (e.g. age, maturity,
2 intelligence, etc.);
- 3 (4) The influence of the family and environment on the
4 growth of the child;
- 5 (5) The reparation of injury to the victim;
- 6 (6) The weight of the evidence against the child;
- 7 (7) The safety of the community; and
- 8 (8) The best interest of the child.

9 SEC. 30. *Formulation of the Diversion Program.* – In
10 formulating a diversion program, the individual characteristics and
11 the peculiar circumstances of the Child in Conflict with the Law
12 shall be used to formulate an individualized treatment. The
13 following factors shall be considered in formulating a diversion
14 program of the child:

- 15 (1) The child's feelings of remorse for the offense he/she
16 committed;
- 17 (2) The parents' or legal guardians' ability to guide and
18 supervise the child;
- 19 (3) The victim's view about the propriety of the measures
20 to be imposed; and
- 21 (4) The availability of community-based programs for
22 rehabilitation and reintegration of the child.

1 SEC. 31. *Components of Diversion Program.* – The
2 diversion program shall include adequate socio-cultural and
3 psychological responses and services for the child. At the different
4 stages where diversion may be resorted to, the following diversion
5 programs may be agreed upon:

6 (1) At the level of the *Punong Barangay*, the law
7 enforcement officer, the prosecutor and the appropriate
8 court:

- 9 (a) Restitution of property;
- 10 (b) Reparation of the damage caused;
- 11 (c) Indemnification for consequential damages;
- 12 (d) Written or oral apology;
- 13 (e) Care, Guidance and Supervision Orders;
- 14 (f) Counseling for the Child in Conflict with
15 the Law and the family;
- 16 (g) Attendance in trainings, seminars and
17 lectures on:
 - 18 (i) anger management skills;
 - 19 (ii) problem solving and/or conflict
20 resolution skills;
 - 21 (iii) values formation; and

1 (iv) other skills which will aid the child
2 in dealing with situations which
3 can lead to repetition of the
4 offense;

5 (h) Participation in available community-based
6 programs, including community service; or

7 (i) Participation in education, vocation and life
8 skills programs.

9 (2) At the level of the law enforcement officer, the
10 prosecutor and the appropriate court:

11 (a) Confiscation and forfeiture of the proceeds
12 or instruments of the crime;

13 (3) At the level of the appropriate court:

14 (a) Written or oral reprimand or citation;

15 (b) Fine;

16 (c) Payment of the cost of the proceedings; or

17 (d) Institutional care and custody.

18 Chapter 3. Prosecution

19 SEC. 32. *Duty of the Prosecutor's Office.* – There shall be a
20 specially trained prosecutor to conduct inquest, preliminary
21 investigation and prosecution of cases involving a Child in Conflict
22 with the Law. If there is an allegation of torture or ill-treatment of a

1 Child in Conflict with the Law during arrest or detention, it shall be
2 the duty of the prosecutor to investigate the same.

3 SEC. 33. *Preliminary Investigation and Filing of*
4 *Information.* – The prosecutor shall conduct a preliminary
5 investigation in the following instances: (a) when the Child in
6 Conflict with the Law does not qualify for diversion; (b) when the
7 parties do not agree to diversion as specified in Sec. 27 and Sec. 28;
8 (c) when considering the assessment and recommendation of the
9 social worker, the prosecutor determines that diversion is not
10 appropriate for the Child in Conflict with the Law.

11 Upon serving the subpoena and the affidavit of complaint,
12 the prosecutor shall notify the public attorney’s office of such
13 service, as well as the personal information, and place of detention
14 of the Child in Conflict with the Law.

15 Upon determination of probable cause by the prosecutor,
16 the information against the child shall be filed before the Family
17 Court within forty-five (45) days from the start of the preliminary
18 investigation.

19 Chapter 4. Court Proceedings

20 SEC. 34. *Bail.* – For purposes of recommending the amount
21 of bail, the privileged mitigating circumstance of minority shall be

1 considered. Bail shall also be made available at the police,
2 prosecutorial and preliminary investigation level.

3 SEC. 35. *Release on Recognizance.* – Where a child is
4 detained, the court shall order:

5 (a) the release of the minor on recognizance to his
6 parents and other suitable persons;

7 (b) the release of the Child in Conflict with the Law on
8 bail; or

9 (c) the transfer of the minor to a youth detention
10 home/youth rehabilitation center.

11 The court shall not order the detention of a child in a jail
12 pending trial or hearing of his/her case.

13 Release on recognizance shall also be made available at the
14 police, prosecutorial and preliminary investigation level.

15 SEC. 36. *Diversion Measures.* – Where the maximum
16 penalty imposed by law for the offense with which the Child in
17 Conflict with the Law is charged is imprisonment of not more than
18 twelve (12) years, regardless of the fine or fine alone regardless of
19 the amount, and before arraignment of the Child in Conflict with the
20 Law, the court shall determine whether or not diversion is
21 appropriate.

1 SEC. 37. *Prohibition on the Imposition of Death Penalty.* -

2 In no case shall death penalty be imposed on a Child in Conflict
3 with the Law.

4 SEC. 38. *Automatic Suspension of Sentence.* – Pursuant to
5 the Family Courts Act, once the child is found guilty of the offense
6 charged, the court shall promulgate sentence and ascertain any civil
7 liability which may have resulted from the offense committed by the
8 Child in Conflict with the Law. However, the sentence shall be
9 suspended without need of application.

10 Children in Conflict with the Law who have reached the age
11 of eighteen (18) but not more than twenty-one (21) pending trial can
12 avail of the suspended sentence, provided the offense was
13 committed while he/she was a child under this Act.

14 SEC. 39. *Various Disposition Measures.* – Upon suspension
15 of sentence and after considering the various circumstances of the
16 child, the court shall impose the appropriate disposition measures,
17 including, but not limited to any or a combination of the following:

- 18 (1) Care, guidance and supervision orders;
19 (2) Probation;
20 (3) Community service orders;
21 (4) Financial penalties, compensation and restitution;
22 (5) Intermediate treatment and other treatment orders;

1 (6) Orders to participate in group counseling and similar
2 activities;

3 (7) Orders for living communities or open centers;

4 (8) Commitment order to youth rehabilitation of the
5 DSWD and other centers for Children in Conflict with
6 the Law authorized by the Secretary of the DSWD; or

7 (9) Educational, vocational and life skills programs;

8 The SSCD shall monitor the compliance with any of the
9 above disposition measures. The words “conviction” and “sentence”
10 shall not be used in reference to a Child in Conflict with the Law
11 who is found criminally liable.

12 *SEC. 40. Discharge of the Child in Conflict with the Law. –*

13 Upon the recommendation of the SSCD, the court shall dismiss the
14 case against the child whose sentence has been suspended and
15 against whom disposition measures have been issued, and shall
16 order the final discharge of the child if it finds that the objective of
17 the disposition measures have been fulfilled.

18 The discharge of the Child in Conflict with the Law shall
19 not affect the civil liability resulting from the commission of the
20 offense, which shall be enforced in accordance with law.

21 *SEC. 41. Return of the Child in Conflict with the Law to*

22 *Court. –* If the court finds that the objective of the disposition

1 measures imposed upon the Child in Conflict with the law have not
2 been fulfilled, or if the Child in Conflict with the Law has willfully
3 failed to comply with the conditions of his/her disposition or
4 rehabilitation program, the Child in Conflict with the Law shall be
5 brought before the court for execution of judgment.

6 If said Child in Conflict with the Law has reached the age of
7 eighteen (18) years old while under suspended sentence, the court
8 shall determine whether to discharge the child in accordance with
9 this Act, to order execution of sentence, or to extend the suspended
10 sentence for a certain specified period or until the child reaches the
11 maximum age of twenty (21) years.

12 SEC. 42. *Credit in Service of Sentence.* – The Child in
13 Conflict with the Law shall be credited in the services of his/her
14 sentence with the full time spent in actual commitment and
15 detention under this Act.

16 SEC. 43. *Probation as an Alternative to Imprisonment.* –
17 The court may, after it shall have convicted and sentenced a Child in
18 Conflict with the Law, and upon application at any time, place
19 him/her on probation in lieu of service of his/her sentence taking
20 into account the best interest of the child. For this purpose, Sec. 4
21 of Presidential Decree No. 968 is hereby amended accordingly.

22 Chapter 5. Confidentiality of Records and Proceedings

1 SEC. 44. *Confidentiality of Records and Proceedings.* – All
2 records and proceedings involving Children in Conflict with the
3 Law from initial contact until final disposition of the case shall be
4 considered privileged and confidential. The public shall be
5 excluded during the proceedings and the records shall not be
6 disclosed directly or indirectly to anyone by any of the parties or the
7 participants in the proceedings for any purpose whatsoever, except
8 to determine if the Child in Conflict with the Law may have his
9 sentence suspended or if he may be granted probation under the
10 probation law, or to enforce the civil liability imposed in the
11 criminal action.

12 The component authorities shall undertake all measures to
13 protect this confidentiality of proceedings, including non-disclosure
14 of records to the media, maintaining a separate police blotter for
15 cases involving Children in Conflict with the Law and adopting a
16 system of coding to conceal material information which will lead to
17 the child's identity. Records of a Child in Conflict with the Law
18 shall not be used in subsequent proceedings for cases involving the
19 same offender as an adult, except when beneficial for the offender
20 and upon his/her written consent.

21 A person who has been in conflict with the law as a child
22 shall not be held under any provision of law, to be guilty of perjury

1 or of concealment or misrepresentation by reason of his/her failure
2 to acknowledge the case or recite any fact related thereto in
3 response to any inquiry made to him/her for any purpose.

4 Title VI.
5 DETENTION, REHABILITATION AND
6 REINTEGRATION

7 SEC. 45. *Objective of Institutional Treatment.* – The
8 objective of training and treatment of Children in Conflict with the
9 Law temporarily placed in institutions is to provide care, protection,
10 education, competency development and life skills, with the view of
11 assisting them to assume socially constructive and productive roles
12 in society.

13 SEC. 46. *Commitment Order Required.* – No child shall be
14 received in any detention, rehabilitation or training facility without a
15 valid commitment order issued by the court after a hearing for the
16 purpose. The details of this order shall be immediately entered in a
17 register exclusively for Children in Conflict with the Law. No child
18 shall be detained in any facility where there is no such register.

19 SEC. 47. *Separate Detention Facilities From Adults.* – In
20 all detention, rehabilitation or training facilities, it shall be
21 mandatory that children shall be separated from adults unless they
22 are members of the same family. Under no other circumstance shall

1 a Child in Conflict with the Law be placed in the same confinement
2 as adults.

3 The detention, rehabilitation, training or confinement area
4 of Children in Conflict with the Law shall provide a home
5 environment where Children in Conflict with the Law can be
6 provided with quality counseling and treatment.

7 SEC. 48. *Female Offenders.* – Female Children in Conflict
8 with the Law placed in an institution shall be given special attention
9 as to their personal needs and problems. They shall be handled by
10 female doctors, correction officers and social workers, and shall be
11 detained separately from male Children in Conflict with the Law.

12 SEC. 49. *Gender-Sensitivity Training.* - No personnel of
13 rehabilitation, detention and training facilities shall handle Children
14 in Conflict with the Law without having undergone gender
15 sensitivity training.

16 SEC. 50. *Detention of the Child Pending Trial.* – Children
17 detained pending trial may be released on bail or recognizance as
18 provided for under Sections 34 and 35. In all other cases and
19 whenever possible, detention pending trial may be replaced by the
20 alternative measures, such as close supervision, intensive care or
21 placement with a family or in an educational setting or home.
22 Institutionalization or detention of the child pending trial shall be

1 used only as a measure of last resort and for the shortest possible
2 period of time.

3 Whenever detention is necessary, a child will always be
4 detained in the youth detention home established by the local
5 government, pursuant to Section 8 of the Family Courts Act, in the
6 city and municipality where the child resides.

7 In the absence of Youth Detention Homes, the Child in
8 Conflict with the Law may be committed to the care of the DSWD,
9 or local rehabilitation center recognized by the government in the
10 province, city or municipality within the jurisdiction of the court.
11 The agency concerned shall be responsible for the child's
12 appearance in court whenever required.

13 SEC. 51. *Establishment of Youth Detention Homes.* – The
14 local government units shall set aside an amount to build youth
15 detention homes as mandated by the Family Courts Act. Youth
16 Detention Homes may also be established by private and non-
17 government organizations licensed and accredited by the DSWD, in
18 consultation with the OJWRS.

19 SEC. 52. *Care and Maintenance of the Child in Conflict*
20 *with the Law* - The DSWD, the local government unit concerned, or
21 the private and non-government organizations licensed and

1 accredited by the DSWD shall shoulder the expenses for the care
2 and maintenance of the child under their institutional care.

3 SEC. 53. *Confinement of Convicted Children in*
4 *Agricultural Camps and other Training Facilities.* – A Child in
5 Conflict with the Law may, after conviction and upon order of the
6 court, be made to serve his/her sentence, in lieu of confinement in a
7 regular penal institution, in an agricultural camp and other training
8 facilities that may be established, maintained, supervised and
9 controlled by the Bureau of Corrections, in coordination with the
10 DSWD.

11 Agricultural camps to be established shall be placed under
12 the DSWD.

13 SEC. 54. *Duties of Detention, Rehabilitation and Training*
14 *Personnel.* – In the performance of their duties, personnel of
15 detention, rehabilitation and training facilities shall respect and
16 protect the human dignity and fundamental human rights of all
17 children under their care.

18 SEC. 55. *Rehabilitation of Children in Conflict with the*
19 *Law.* – Children in Conflict with the Law, whose sentence are
20 suspended may, upon order of the court, undergo any or a
21 combination of the following disposition measures best suited to the
22 rehabilitation and welfare of the child:

- 1 (1) Residential or community-based rehabilitation
- 2 in the DSWD Youth Rehabilitation Center, any
- 3 DSWD-accredited NGO Youth Rehabilitation
- 4 Center, Parole and Probation provincial and
- 5 city field offices, or in the community;
- 6 (2) Care, guidance and supervision orders;
- 7 (3) Community service orders;
- 8 (4) Drug and alcohol treatment; or
- 9 (5) Participation in group counseling and similar
- 10 activities.

11 SEC. 56. *Youth Rehabilitation Center.* – The Youth

12 Rehabilitation Center shall provide twenty-four (24) hour group

13 care, treatment and rehabilitation services under the guidance of a

14 trained staff where residents are cared for under a structured

15 therapeutic environment with the end view of reintegrating them in

16 their families and communities as socially functioning individuals.

17 A quarterly report shall be submitted by the Center to the proper

18 court on the progress of the Children in Conflict with the Law.

19 Based on the progress of the youth in the centers, a final report will

20 be forwarded to the court for final disposition of the case. The

21 DSWD shall establish youth rehabilitation centers in each region of

22 the country.

1 *SEC. 57. Objectives of Community Based Programs.* – The
2 objectives of community-based programs are as follows:

3 (1) Prevent disruption in the education or means of
4 livelihood of the Child in Conflict with the Law in
5 case he/she is studying, working or attending
6 vocational learning institutions;

7 (2) Prevent separation of the Child in Conflict with the
8 Law from his/her parents/guardians to maintain the
9 support system fostered by their relationship and to
10 create greater awareness of their mutual and
11 reciprocal responsibilities;

12 (3) Facilitate the rehabilitation and mainstreaming of the
13 Child in Conflict with the Law and encourage
14 community support and involvement; and

15 (4) Minimize the stigma that attaches to the Child in
16 Conflict with the Law by preventing jail detention.

17 *SEC. 58. Criteria of Community-Based Programs.* – Every
18 local government unit shall establish community-based programs
19 that will focus on the rehabilitation and re-integration of the child.
20 All programs shall meet the criteria to be established by OJWRS
21 which shall take into account the purpose of the program, the need
22 for the consent of the child and his/her parents or legal guardians,

1 and the participation of the child-centered agencies whether public
2 or private.

3 Community-based programs shall consist of, but shall not
4 be limited to community service.

5 SEC. 59. *Community-Based Rehabilitation.* – The Child in
6 Conflict with the Law, whose sentence is suspended may, upon
7 order of the court, undergo rehabilitation in the community. The
8 Child in Conflict with the Law will be released to parents, relatives
9 or any other responsible person in the community. Under the
10 supervision and guidance of the local social welfare and
11 development officer, and in coordination with his/her
12 parents/guardian, the Child in Conflict with the Law shall
13 participate in any of the following community-based programs:

- 14 (1) Competency and life skills development;
- 15 (2) Socio-cultural and recreational activities;
- 16 (3) Community volunteer projects;
- 17 (4) Leadership training; and
- 18 (5) Community and family welfare services, among others.

19 In accordance therewith, the family of the Child in Conflict
20 with the Law shall endeavor to actively participate in the
21 community-based rehabilitation.

1 health and well-being of the Child in Conflict with the Law and
2 therefore, prohibited:

- 3 (1) Employment of threats of whatever kind and nature;
- 4 (2) Employment of abusive, coercive and punitive
5 measures such as cursing, beating, stripping, and
6 solitary confinement;
- 7 (3) Employment of degrading, inhuman and cruel
8 forms of punishment such as shaving the heads,
9 pouring irritating, corrosive or harmful substances
10 over the body of the Child in Conflict with the Law,
11 or forcing his/her to walk around the community
12 wearing signs which embarrass, humiliate, and
13 degrade his/her personality and dignity;
- 14 (4) Compelling the child to perform involuntary
15 servitude in any and all forms under any and all
16 instances.

17 Chapter 3. Penal Provision

18 SEC. 65. *Violation of the Provisions of this Act or Rules or*
19 *Regulations in General.* – Police officers, wardens, prosecutors, and
20 judges including social workers, psychologists, psychiatrists, and
21 DSWD personnel or any person who violates any provision of this
22 Act or any rule or regulation promulgated in accordance thereof

1 shall, upon conviction for each act or omission, be punished by a
2 fine of not less than Twenty thousand Pesos (PHP20,000.00) or
3 suffer imprisonment of not less than eight (8) years but not more
4 than ten (10) years, or both such fine and imprisonment at the
5 discretion of the court, unless a higher penalty is provided for in the
6 Revised Penal Code or Special Laws. If the offender is a public
7 officer or employee, he/she shall, in addition to such fine and/or
8 imprisonment, be held administratively liable and shall suffer the
9 penalty of perpetual absolute disqualification.

10 Chapter 4. Appropriation Provision

11 SEC. 66. *Appropriations.* – The amount necessary for the
12 implementation of this Act shall be included in the General
13 Appropriations Act of the year following its enactment into law and
14 thereafter.

15 An initial amount of Fifty Million Pesos
16 (PHP50,000,000.00) for the purpose of setting up the OJWRS shall
17 be taken from the proceeds of the Philippine Charity Sweepstakes.

18 Title VIII
19 TRANSITORY PROVISIONS
20

21 SEC. 67. *Children in Conflict with the Law Fifteen (15)*
22 *Years Old and Below.* – Upon effectivity of this Act, cases of
23 children fifteen (15) years old and below at the time of the

1 commission of the crime shall immediately be dismissed and the
2 child shall be referred to the appropriate local social welfare and
3 development officer. Such officer, upon thorough assessment of the
4 child, shall determine whether to release him/her to the custody of
5 his/her parents, or refer him/her to prevention programs as provided
6 under this Act. Those with suspended sentences and undergoing
7 rehabilitation at the youth rehabilitation center shall likewise be
8 released, unless it is contrary to the best interest of the child.

9 All children who do not have criminal liability under this
10 law, pending the creation of the OJWRS and the LCPC within a
11 year, shall be immediately transferred to a DSWD institution, and
12 the DSWD shall undertake diversion programs for them, prioritizing
13 the younger children below 15 years of age and the lighter offenses.

14 SEC. 68. *Children Detained Pending Trial.* – If the child is
15 detained pending trial, the Family Court shall also determine
16 whether or not continued detention is necessary and, if not,
17 determine appropriate alternatives for detention. If detention is
18 necessary and he/she is detained with adults, the court shall
19 immediately order the transfer of the child to a youth detention
20 home.

21 SEC. 69. *Children who reached the Age of 18 pending*
22 *Diversion and Court Proceedings.* – If a child reaches the age of

1 power under this Act shall be exercised by the DSWD AND DOJ.
2 The DSWD and the DOJ shall, in consultation with the Department
3 of Interior and Local Government, Philippine National Police,
4 Council for the Welfare of Children, National Youth Commission,
5 Commission on Human Rights, and child-focused NGOs duly
6 accredited by the DSWD, issue the necessary rules and regulations
7 for the implementation of the provisions of this Act within six (6)
8 months from the effectivity thereof.

9 SEC. 72. *Separability Clause.* – If, for any reason, any
10 section or provision of this Act is declared unconstitutional or
11 invalid by a competent court, the other sections or provisions hereof
12 not affected by such declaration shall remain in full force and effect.

13 SEC. 73. *Repealing Clause.* – All existing laws, orders,
14 decrees, rules and regulations or parts thereof inconsistent with the
15 provisions of this Act are hereby repealed or modified accordingly.

16 SEC. 74. *Effectivity.* – This Act shall take effect after fifteen
17 (15) days from its publication in at least two (2) national newspaper
18 of general circulation.

Approved

