

Republic of the Philippines
MUNICIPALITY OF IBA
Province of Zambales



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE JOURNAL OF THE 14TH REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF IBA, ZAMBALES HELD ON **OCTOBER 07, 2025** AT THE MUNICIPAL SESSION HALL.

PRESENT:

HON. JOAN D. BALLESTEROS-ALBA, Vice Mayor and Presiding Officer

SANGGUNIANG BAYAN MEMBERS

HON. MARGIE M. NOVENO

HON. CARL ERIC B. RICO

HON. EDISON E. MARTINEZ

HON. SALVADOR R. REDONDO

HON. RAEDAG A. VILLAMIN JR.

HON. PAULO A. FORTIN

HON. EDGAR C. PAYUMO

HON. ALIRE JOHN T. FALLORIN

HON. RICHARD N. REDONDO, Liga ng mga Barangay President

HON. CARLOS MIGUEL R. VILLAMIN, SK Federation President

**ORDINANCE NO. 13-07
SERIES OF 2025**

AN ORDINANCE ESTABLISHING "DISCIPLINE HOURS" FOR MINORS IN THE MUNICIPALITY OF IBA, ZAMBALES, IMPOSING NON-PUNITIVE MEASURES FROM 10:00 PM TO 5:00 AM, AND PROVIDING INTERVENTION, REHABILITATION, AND COMMUNITY-BASED SUPPORT MECHANISMS

Author: Hon. Richard N. Redondo and Hon. Margie Maniquiz-Noveno

Co-Author: Hon. Raedag A. Villamin Jr.

WHEREAS, Section 13, Article II of the 1987 Constitution provides that "the State recognizes the vital role of children and youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs";

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare";

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WHEREAS, Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006 as amended by R.A 10630 was passed into law that covers different stages involving children at risk and children in conflict with the law from prevention to rehabilitation and reintegration;

WHEREAS, in the interest of public order and safety, it is imperative to regulate the movement of minor children especially during nighttime to protect them from neglect, exploitation, abuse, cruelty and other conditions prejudicially detrimental to their well-being and development.

Be it ordained by the Sangguniang Bayan of Iba, Zambales.

SECTION 1. TITLE OF ORDINANCE. This Ordinance shall be known and cited as the "Child-Friendly Discipline Hours Ordinance of the Municipality of Iba, Zambales"

SECTION 2. PURPOSE. This Ordinance is enacted to:

1. Establish discipline hours for minors aged below eighteen (18) years, prohibiting unsupervised presence in public places from 10:00 PM to 5:00 AM, without imposing criminal or quasi-criminal penalties on minors for status offenses such as discipline hour violations.
2. Implement a child-friendly, non-punitive framework that ensures minors in violation of discipline hours are diverted to appropriate intervention and support programs.
3. Define clear procedures for taking minors into temporary custody, ensuring immediate release to parents or social welfare officers, and providing diversion programs consistent with RA 9344 and RA 10630.
4. Outline the obligations of parents or guardians and provide for community and local government unit (LGU) support mechanisms to prevent unaccompanied minors from being at risk during prohibited hours.
5. Provide exemptions and special safeguards to protect the fundamental freedoms of minors and respect parental rights under the Constitution.

SECTION 3. COVERAGE. - This ordinance shall apply to all minors/children within the territorial jurisdiction of the Municipality of Iba, whether resident or non-resident.

SECTION 4. DEFINITION OF TERMS. - As used in this ordinance, the following terms are defined:

- a. **Barangay Council for the Protection of Children (BCPC)** - refers to barangay council in charge of counseling the children and their parents or guardians and responsible for coordinating with the proper government institution or agency for the general welfare of the children found in violation of this Ordinance.
- b. **Child** - refers to a person under or below eighteen (18) years of age
- c. **Discipline Hours** - means hours prohibiting children to remain or stay in the streets, plaza, and other public places without legal or justifiable reason from 10:00 o'clock in the evening to 5:00 o'clock in the morning of the following day.

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- d. **Guardian** - is a person who under court order is the guardian of the person of a minor; a person in charge of the custody or who is taking care of a minor whether relative or not; or a person at least 18 years of age and authorized by a parent or guardian to accompany a minor in a public place or to have the care and custody over him or her.
- e. **Intervention** - refers to 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 counselling, skills training, education, and other activities that will enhance the child's psychological, emotional and psychosocial well-being.
- f. **Law Enforcement Officer** - individuals authorized to enforce laws and maintain public order such as Philippine National Police (PNP) personnel, Public Order and Safety Unit (POSU) personnel, Barangay Council and Barangay Tanods, Coast Guard and Maritime.
- g. **Loiter** - to hang around, stand or wait around idly or without apparent purpose.
- h. **Parents** - shall mean any of the following: biological parents, adoptive parents or individuals who have custody of the child.
- i. **Public Places** - refer to places where the general public, or a substantial group of people, have access including but not limited to, streets, highways, sidewalks, alleys, parking lots, vacant lots, parks and the common areas in the vicinity of churches, apartment buildings, office buildings, hospitals, schools, shops, and other similar places or establishments, public beaches/shorelines and legal easements;
- j. **Ramble** - to Walk for pleasure, typically without a definite route
- k. **Residence** - means the house or home where the child and his/parents or guardian reside.
- l. **Saunter** - to Walk leisurely
- m. **Stray** - to move away aimlessly from a group or to separate from the group.

SECTION 5. PROHIBITED ACTS.

- a. It shall be unlawful for any minor to loiter, ramble, saunter, stray or wander in the streets, plaza and other public places within the municipality of Iba between ten o'clock (10:00) at nighttime to five o'clock (05:00) in the morning, when he/she is not accompanied by a parent or guardian;
- b. It shall be unlawful for a parent/ guardian of a minor to knowingly or by insufficient control allow such minor to be outside of their residence between ten o'clock (10:00) at nighttime to five o'clock (05:00) in the morning.
- c. It shall be unlawful for any owner, manager, or operator of any videoke bar, Internet Café, billiard/pool, ambulant fast food and convenience store within the Municipality of Iba to knowingly or causing to allow minors to be in their place of business between ten o'clock (10:00) at nighttime to five o'clock (5:00) in the morning.

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SECTION 6. EXCEPTIONS - The provisions of Section 5 hereof shall not be applicable in the following situations:

- a. The child is accompanied by his parents or guardian.
- b. The child is involved in an emergency. This includes unforeseen circumstances, or the status or condition resulting therefrom, requiring immediate action to safeguard life, limb or property. The term also includes, but is not limited to fires, calamities, disasters, automobile accidents, or other similar circumstances.
- c. The child is engaged in an employment activity or school class, and is returning home from such activity or class, without detour or stop.
- d. The child is on the sidewalk directly abutting the place where he resides.
- e. The child is attending an activity sponsored by a school, religious, or civic organization, or by a public organization or agency, or by a similar organization or entity, if the activity is supervised by adults and the child is going to or returning home from such activity, without detour or stop.
- f. The child is on an errand and has in his possession written permission to do so from his parents or guardian. The ID and contact number of the parent or guardian must be attached to the permission for verification.
- g. On the occasions of legal holidays, special holidays, fiesta/festival celebrations, sports events (liga ng kabataan) sponsored by the Municipality or by the Barangay, and other special family occasions such as but not limited to birthdays, weddings, family reunions, anniversaries, wakes and funerals etc.

SECTION 7. PROCEDURE FOR TAKING THE CHILD INTO CUSTODY - Republic Act No. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006 as amended by Republic Act No. 10630, prescribes proper procedures to be observed by the law enforcement officer in taking the child into custody as follows:

- a. Determine the age of the minor;
- b. Inform the parents/guardian the reasons for their child/relative being placed under custody and the offense that he/she allegedly committed;
- c. 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;
- d. Inform the child of the reason for such custody and advise the child of his/her constitutional rights in a language or dialect understood by him/her.
- e. Properly identify himself/herself and present proper identification to the child;
- f. Refrain from using vulgar or profane words and from sexually harassing or abusing, or making sexual advances on the child;
- g. 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;
- h. Refrain from subjecting the child to greater restraint than is necessary for his/her apprehension;
- i. Avoid violence or unnecessary force;
- j. Immediately but not later than eight (8) hours after apprehension, turn over custody of the child to the Municipal Social Welfare and Development Officer, and notify the child's apprehension. The social welfare and development officer shall explain to the child and the child's parents/guardians the consequences of the child's act with a view towards counselling and rehabilitation.

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SECTION 8. OBLIGATIONS AND LIABILITIES OF PARENT/S OR GUARDIAN/S - The parents or guardians who are in actual custody or living together with the child are under obligation to supervise the conduct and activities of the child and see to it that the latter is already in their home before and during the discipline hours for children.

SECTION 9. IF PARENTS, GUARDIANS OR NEAREST RELATIVES CANNOT BE LOCATED, OR REFUSES TO TAKE CUSTODY OF THE CHILD - If the parents, guardians or nearest relatives cannot be located, or if they refuse to take custody, the child may be released to any of the following:

- a. Barangay official or a member of the Barangay Council for the Protection of Children (BCPC)
- b. Municipal Social Welfare and Development Office

SECTION 10. PENALTIES AND SANCTIONS FOR PARENTS OR GUARDIANS - The following are the parents or guardian penalties while minors are not criminally penalized for status offenses:

- a. **FIRST OFFENSE** - The minor child caught within the discipline hours shall be advised to go home, and if he/she fails to do so, he/she shall be brought to the barangay having jurisdiction for proper recording and counselling by the Barangay Council for the Protection of Children (BCPC) and shall notify the Municipal Social Welfare and Development Office (MSWDO) before the child is turned over or released to his/her parent/s or guardian/s. Prior to the release, the parent or guardian shall be reprimanded/admonished and informed of the consequences in the event that their child is caught again for the same offense.
- b. **SECOND OFFENSE** - Both the children and the parent or guardian shall be required to attend counselling sessions, parenting education seminars and other interventions as may be prescribed and conducted by the Barangay Council for the Protection of Children (BCPC) within ten (10) days from the commission of the violation. The Municipal Social Welfare and Development Office (MSWDO) shall also be notified.
- c. **THIRD OFFENSE OR MORE** - The case shall be referred to the Municipal Social Welfare and Development Office (MSWDO) for other interventions that may be conducted pursuant to the provisions of RA 9344, as amended.

SECTION 11. NON-RESIDENT OFFENDER - If the child is a non-resident of the Municipality, the law enforcement officer shall exert all efforts to get in touch with his parents or guardian. If they cannot be reached or contacted, the BCPC shall turn over the child to the Municipal Social Welfare Development Office (MSWDO) within reasonable time in the morning for proper disposition pursuant to existing laws.

SECTION 12. SEPARABILITY CLAUSE - If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

SECTION 13. EFFECTIVITY - This Ordinance shall take effect upon approval.

Enacted this 07TH day of October, 2025.

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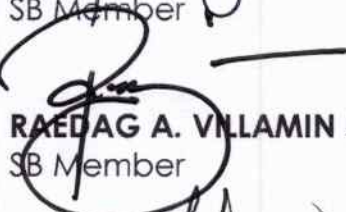
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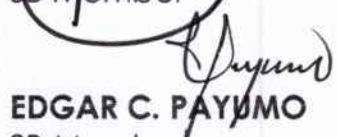
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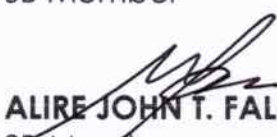

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CERTIFIED CORRECT:


JOAN D. BALLESTEROS-ALBA
Vice Mayor and Presiding Officer

ATTESTED:


NOLITO V. BASUL
Secretary to the
Sangguniang Bayan

APPROVED:


HON. IRENEA MANQUIZ-BINAN
Municipal Mayor

Date: OCT 15 2025