



HOUSE OF REPRESENTATIVES

H. No. 6052

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BY REPRESENTATIVES ESCUDERO, CRUZ-GONZALES, SARMIENTO (M.), TREÑAS, CAJAYON, PUNO, GARCIA (P.), GATCHALIAN, NOGRALES, AUMENTADO, GOLEZ (A.), ACOP, ROMUALDO, RELAMPAGOS, RODRIGUEZ (R.), SARMIENTO (C.), LAPUS, LOPEZ (C.), ALVAREZ (M.), ANGPING, YAP (S.), CERAIFICA, PRIMICIAS-AGABAS, VILLAFUERTE, OLIVAREZ AND DEL MAR, PER COMMITTEE REPORT NO. 2064

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AN ACT STRENGTHENING THE JUVENILE JUSTICE SYSTEM IN THE PHILIPPINES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9344, OTHERWISE KNOWN AS THE "JUVENILE JUSTICE AND WELFARE ACT OF 2006"

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

1 SECTION 1. Section 1 of Republic Act No. 9344 is hereby amended to  
2 read as follows:

3 "SECTION 1. *Short Title and Scope.* – This Act shall be  
4 known as the ["*Juvenile Justice and Welfare Act of 2006.*"]  
5 "STRENGTHENING THE JUVENILE JUSTICE SYSTEM IN THE  
6 PHILIPPINES ACT". It shall cover the different stages involving  
7 children at risk, [and] children in conflict with the law AND  
8 YOUTHFUL OFFENDERS from prevention to rehabilitation and  
9 reintegration."

1           SEC. 2. Sections 4, 5, 6, 7, 8 and 9 of Republic Act No. 9344 are  
2 hereby amended to read as follows:

3           "SEC. 4. *Definition of Terms.* – The following terms as  
4 used in this Act shall be defined as follows:

5           "(a) x x x.

6           "(b) x x x.

7           "(c) 'Child' refers to a person under the age of eighteen  
8 (18) years. **A CHILD CAN BE CLASSIFIED AS FOLLOWS:**

9           "**(1) CHILD AT RISK;**

10          "**(2) CHILD IN CONFLICT WITH THE LAW; AND**

11          "**(3) YOUTHFUL OFFENDER.**

12          "(d) x x x.

13          "(e) 'Child in Conflict with the Law' refers to a child,  
14 **ABOVE TWELVE (12) YEARS OLD TO FIFTEEN (15) YEARS OF**  
15 **AGE, who is alleged as, accused of, or adjudged as, having**  
16 **committed an offense under Philippine laws.**

17          "(f) x x x.

18          "(g) x x x.

19          "(h) x x x.

20          "(i) x x x.

21          "(j) x x x.

22          "**(k) 'Initial Contact With the Child' refers to the**  
23 **apprehension or taking into custody of a child in conflict with the**  
24 **law OR A YOUTHFUL OFFENDER by law enforcement officers or**  
25 **private citizens. It includes the time when the child alleged to be**  
26 **in conflict with the law OR THE ALLEGED YOUTHFUL OFFENDER**  
27 **receives a subpoena under Section 3(b) of Rule 112 of the**  
28 **Revised Rules of Criminal Procedure or summons under Section**

1           6(a) or Section 9(b) of the same Rule in cases that do not require  
2 preliminary investigation or where there is no necessity to place  
3 the child alleged to be in conflict with the law **OR THE ALLEGED**  
4 **YOUTHFUL OFFENDER** under immediate custody.

5           “(l) x x x.

6           “(m) ‘Juvenile Justice and Welfare System’ refers to a  
7 system dealing with children at risk, [and] children in conflict  
8 with the law, **AND YOUTHFUL OFFENDERS**, which provides  
9 child-appropriate proceedings, including programs and services  
10 for prevention, diversion, rehabilitation, re-integration and  
11 aftercare to ensure their normal growth and development.

12           “(n) x x x.

13           “(o) x x x.

14           “(p) x x x.

15           “(q) x x x.

16           “(r) x x x.

17           “(s) [‘Youth Detention Home’] **‘BAHAY PAG-ASA’**  
18 refers to a 24-hour child-caring institution managed by  
19 accredited local government units (LGUs) and licensed and/or  
20 accredited nongovernment organizations (NGOs) providing  
21 short-term residential care for children in conflict with the law  
22 who are awaiting court disposition of their cases or transfer to  
23 other agencies or jurisdiction.

24           “(t) x x x.

25           “(u) x x x.

26           “(v) **‘YOUTHFUL OFFENDER’ REFERS TO A CHILD**  
27 **ABOVE TWELVE (12) YEARS OLD TO FIFTEEN (15) YEARS OF**  
28 **AGE WHO ACTED WITH DISCERNMENT OR A CHILD ABOVE**

1 FIFTEEN (15) YEARS OLD BUT UNDER THE AGE OF EIGHTEEN  
2 (18) YEARS AT THE TIME OF THE ALLEGED COMMISSION OF A  
3 CRIMINAL OFFENSE. A CHILD MAY BE ARRESTED OR TAKEN  
4 INTO CUSTODY AND BE DEALT WITH IN ACCORDANCE WITH  
5 THE PROVISIONS OF PRESIDENTIAL DECREE NO. 603, AS  
6 AMENDED, OTHERWISE KNOWN AS 'THE CHILD AND YOUTH  
7 WELFARE CODE'."

8 "SEC. 5. *Rights of the Child in Conflict with the Law*  
9 *AND YOUTHFUL OFFENDERS*. – Every child in conflict with the  
10 law AND A YOUTHFUL OFFENDER shall have the following  
11 rights, including but not limited to:

12 "(a) x x x;

13 "(b) x x x;

14 "(c) x x x;

15 "(d) the right to be treated with humanity and respect for  
16 the inherent dignity of the person, and in a manner which takes  
17 into account the needs of a person of [his/her] THE CHILD'S age.  
18 In particular, a child deprived of liberty shall be separated from  
19 adult offenders at all times. No child shall be detained together  
20 with adult offenders. [He/She] THE CHILD shall be conveyed  
21 separately to or from court[. He/She] AND shall await hearing [of  
22 his/her own] THE case in a separate holding area. A child in  
23 conflict with the law AND A YOUTHFUL OFFENDER shall have the  
24 right to maintain contact with [his/her] THEIR family through  
25 correspondence and visits, save in exceptional circumstances;

26 "(e) x x x;

27 "(f) x x x;

28 "(g) x x x;

1                   “(h) x x x;

2                   “(i) x x x;

3                   “(j) x x x;

4                   “(k) the right to have restrictions on [his/her] **THEIR**  
5                   personal liberty limited to the minimum, and where discretion is  
6                   given by law to the judge to determine whether to impose fine or  
7                   imprisonment[, the imposition of fine being preferred as the  
8                   more appropriate penalty];

9                   “(l) x x x;

10                  “(m) x x x;

11                  “(n) x x x;

12                  “(o) x x x;

13                  “x x x.”

14                  “SEC. 6. *Minimum Age of Criminal Responsibility.* –  
15                  A child [fifteen (15)] **TWELVE (12)** years of age or under at the  
16                  time of the commission of the offense shall be exempt from  
17                  criminal liability. However, the child shall be subjected to an  
18                  intervention program pursuant to Section 20 of this Act.

19                  “A child above [fifteen (15)] **TWELVE (12)** years **OLD**  
20                  [but below eighteen (18)] **TO FIFTEEN (15)** years of age shall  
21                  likewise be exempt from criminal liability and be subjected to an  
22                  intervention program, unless [he/she] **THE CHILD** has acted with  
23                  discernment, in which case, such child shall be subjected to the  
24                  appropriate proceedings in accordance with this Act.

25                  “The exemption from criminal liability herein established  
26                  does not include exemption from civil liability, which shall be  
27                  enforced in accordance with existing laws.

1           **"WHEN A CHILD WHO IS ABOVE TWELVE (12) YEARS**  
2           **OLD TO FIFTEEN (15) YEARS OF AGE HAS BEEN DECLARED BY**  
3           **THE COURT TO HAVE ACTED WITH DISCERNMENT AT THE TIME**  
4           **OF THE COMMISSION OF THE OFFENSE AND IS FOUND GUILTY**  
5           **OF THE OFFENSE CHARGED, THE CHILD'S SENTENCE SHALL BE**  
6           **SUSPENDED PURSUANT TO SECTION 3 HEREOF AND THE CHILD**  
7           **SHALL EITHER BE COMMITTED TO A REFORMATORY**  
8           **INSTITUTION OR TO THE CUSTODY OF THE DSWD OR ANY**  
9           **DULY LICENSED AGENCY: PROVIDED, THAT IF THE CHILD**  
10          **BECOMES INCORRIGIBLE OR WILLFULLY FAILS TO COMPLY**  
11          **WITH THE CONDITIONS OF COMMITMENT IN THE TRAINING OR**  
12          **REFORMATORY INSTITUTION, THE CHILD SHALL BE RETURNED**  
13          **TO THE COMMITTING COURT FOR THE PRONOUNCEMENT OF**  
14          **JUDGMENT IMPOSING THE PROPER PENALTY UPON REACHING**  
15          **EIGHTEEN (18) YEARS OLD.**

16           **"IF THE OFFENSE CHARGED IS MURDER, PARRICIDE,**  
17          **HOMICIDE, KIDNAPPING, RAPE, ROBBERY, DRUG TRAFFICKING**  
18          **OR OTHER OFFENSES PUNISHABLE BY MORE THAN TWELVE**  
19          **(12) YEARS, SUCH CHILD IS PRESUMED TO HAVE ACTED WITH**  
20          **DISCERNMENT AND SHALL BE CONSIDERED AS A YOUTHFUL**  
21          **OFFENDER AND SHALL BE DEALT WITH IN ACCORDANCE WITH**  
22          **THE PROVISIONS OF PRESIDENTIAL DECREE NO. 603, AS**  
23          **AMENDED, OTHERWISE KNOWN AS 'THE CHILD AND YOUTH**  
24          **WELFARE CODE'.**

25           **"A CHILD ABOVE FIFTEEN (15) YEARS OLD BUT UNDER**  
26          **EIGHTEEN (18) YEARS OF AGE SHALL BE CONSIDERED AS A**  
27          **YOUTHFUL OFFENDER WHO SHALL BE DEALT WITH IN**  
28          **ACCORDANCE WITH THE PROVISIONS OF PRESIDENTIAL**  
29          **DECREE NO. 603, AS AMENDED."**

1           “SEC. 7. *Determination of Age.* -- [The]A child in  
2 conflict with the law OR A YOUTHFUL OFFENDER shall enjoy the  
3 presumption of minority[. He/She] AND shall enjoy all [the]  
4 THEIR LEGAL rights [of a child in conflict with the law] until  
5 [he/she] THE CHILD is proven to be [eighteen (18)] ABOVE  
6 FIFTEEN (15) years old [or older]. The age of a child may be  
7 determined from the child’s birth certificate, baptismal certificate  
8 or any other pertinent documents. In the absence of these  
9 documents, age may be based on information [from] GIVEN BY  
10 the child [himself/herself], testimonies of other persons, the  
11 physical appearance of the child and other relevant evidence. In  
12 case of doubt as to the age of the child, it shall be resolved in  
13 [his/her] favor OF THE CHILD.

14           “Any person contesting the age of [the]A child in conflict  
15 with the law OR A YOUTHFUL OFFENDER prior to the filing of  
16 the information in any appropriate court may file a case in a  
17 summary proceeding for the determination of age before the  
18 Family Court which shall decide the case within twenty-four (24)  
19 hours from receipt of the appropriate pleadings of all interested  
20 parties.

21           “If a case has been filed against [the]A child in conflict  
22 with the law OR A YOUTHFUL OFFENDER and is pending in the  
23 appropriate court, the person shall file a motion to determine the  
24 age of the child in the same court where the case is pending.  
25 Pending hearing on the said motion, proceedings on the main  
26 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]A child in conflict with the  
4 law OR A YOUTHFUL OFFENDER.

5 "A CHILD IS DEEMED TO BE TWELVE (12) AND FIFTEEN  
6 (15) YEARS OLD ON THE DAY OF THE TWELFTH AND FIFTEENTH  
7 BIRTHDAY, RESPECTIVELY. A PERSON IS DEEMED TO BE  
8 EIGHTEEN (18) YEARS OLD ON THE DAY OF THE EIGHTEENTH  
9 BIRTHDAY."

10 "TITLE II

11 "STRUCTURES IN THE ADMINISTRATION  
12 "OF JUVENILE JUSTICE AND WELFARE

13 "SEC. 8. *Juvenile Justice and Welfare Council (JJWC).*

14 – A Juvenile Justice and Welfare Council (JJWC) is hereby  
15 created and attached to the Department of [Justice] SOCIAL  
16 WELFARE AND DEVELOPMENT (DSWD) and placed under its  
17 administrative supervision. The JJWC shall be chaired by  
18 an undersecretary of the [Department of Social Welfare  
19 and Development] DSWD. It shall ensure the effective  
20 implementation of this Act and coordination among the  
21 following agencies:

22 "(A) DEPARTMENT OF JUSTICE (DOJ);

23 "[a](B) Council for the Welfare of Children (CWC);

24 "[b](C) Department of Education (DepED);

25 "[c](D) Department of the Interior and Local  
26 Government (DILG);

27 "[d](E) Public Attorney's Office (PAO);



- 1                   “[(e)](F) Bureau of Corrections (BUCOR);
- 2                   “[(f)](G) Parole and Probation Administration (PPA);
- 3                   “[(g)](H) National Bureau of Investigation (NBI);
- 4                   “[(h)](I) Philippine National Police (PNP);
- 5                   “[(i)](J) Bureau of Jail Management and Penology
- 6 (BJMP);
- 7                   “[(j)](K) Commission on Human Rights (CHR);
- 8                   “[(k)](L) Technical Education and Skills Development
- 9 Authority (TESDA);
- 10                  “[(l)](M) National Youth Commission (NYC); and
- 11                  “[(m)](N) Other institutions focused on juvenile justice
- 12 and intervention programs.

13                  “The JJWC shall be composed of representatives, whose

14 ranks shall not be lower than [d]Director, to be designated by the

15 concerned heads of the following departments or agencies:

16                  “x x x;

17                  “(h) Two (2) representatives from NGOs, one to be

18 designated by the Secretary of [Justice and the other to be

19 designated by the Secretary of] Social Welfare and

20 Development.

21                  “The JJWC shall convene within fifteen (15) days from

22 the effectivity of this Act. The Secretary of [Justice and the

23 Secretary of] Social Welfare and Development shall determine

24 the organizational structure and staffing pattern of the JJWC.

25                  “x x x.”

1                   “SEC. 9. *Duties and Functions of the JJWC.* – The  
2 JJWC shall have the following duties and functions:

3                   “(a) x x x;

4                   “(b) x x x;

5                   “(c) x x x;

6                   “(d) x x x;

7                   “(e) x x x;

8                   “(f) **TO CONSULT WITH THE VARIOUS LEAGUES OF**  
9 **LOCAL GOVERNMENT OFFICIALS IN THE FORMULATION AND**  
10 **RECOMMENDATION OF POLICIES AND STRATEGIES FOR THE**  
11 **PREVENTION OF JUVENILE DELINQUENCY AND THE**  
12 **PROMOTION OF JUVENILE JUSTICE AND WELFARE;**

13                   “[(f)](g) To formulate and recommend policies and  
14 strategies in consultation with children for the prevention of  
15 juvenile delinquency and the administration of justice, as well as  
16 for the treatment and rehabilitation of [the] children in conflict  
17 with the law **OR YOUTHFUL OFFENDERS;**

18                   “[(g)](h) To collect relevant information and conduct  
19 continuing research and support evaluations and studies on all  
20 matters relating to juvenile justice and welfare, such as, but not  
21 limited to:

22                   “(1) the performance and results achieved by juvenile  
23 intervention programs and by activities of the local government  
24 units and other government agencies;

25                   “(2) the periodic trends, problems and causes of  
26 juvenile delinquency and crimes; and

27                   “(3) the particular needs of children in conflict with the  
28 law **OR YOUTHFUL OFFENDERS** in custody.

1           “The data gathered shall be used by the JJWC in the  
2           improvement of the administration of THE juvenile justice and  
3           welfare system.

4           “The JJWC shall set up a mechanism to ensure that  
5           children are involved in research and policy development.

6           “THE JJWC SHALL CONDUCT, EVERY THREE (3) YEARS,  
7           A STUDY ON THE AGE OF DISCERNMENT OF FILIPINO  
8           CHILDREN WHICH SHALL BE THE BASIS FOR LEGISLATIVE  
9           REVIEW OF THE MINIMUM AGE OF CRIMINAL RESPONSIBILITY.

10           “[(h)](I) x x x;

11           “[(i)](J) x x x;

12           “[(j)](K) x x x;

13           “[(k)](L) x x x.”

14           SEC. 3. Section 13 of Republic Act No. 9344 is hereby amended to  
15           read as follows:

16           “SEC. 13. *The Educational System.* – Educational  
17           institutions shall work together with families, community  
18           organizations and agencies in the prevention of juvenile  
19           delinquency and in the rehabilitation and reintegration of  
20           [child] CHILDREN in conflict with the law AND YOUTHFUL  
21           OFFENDERS. Schools shall provide adequate, necessary and  
22           individualized educational schemes for children manifesting  
23           difficult behavior, [and] children in conflict with the law AND  
24           YOUTHFUL OFFENDERS. In cases where children in conflict with  
25           the law AND YOUTHFUL OFFENDERS are taken into custody or  
26           detained in rehabilitation centers, they should be provided the  
27           opportunity to continue learning under an alternative learning

1 system with basic literacy program or nonformal education  
2 accreditation equivalency system.”

3 SEC. 4. Section 20 of Republic Act No. 9344 is hereby amended to  
4 read as follows:

5 “TITLE IV

6 “TREATMENT OF CHILDREN BELOW THE  
7 “AGE OF CRIMINAL RESPONSIBILITY

8 “SEC. 20. *Children Below the Age of Criminal*  
9 *Responsibility.* – If it has been determined that the child taken  
10 into custody is [fifteen (15)] **TWELVE (12)** years old or below,  
11 **OR ABOVE TWELVE (12) YEARS OLD TO FIFTEEN (15) YEARS OF**  
12 **AGE, AND HAD ACTED WITHOUT DISCERNMENT,** the authority  
13 which will have an initial contact with the child, **IN**  
14 **CONSULTATION WITH THE LOCAL SOCIAL WELFARE AND**  
15 **DEVELOPMENT OFFICER, [has] SHALL HAVE** the duty to  
16 immediately release the child to the custody of [his/her] **THE**  
17 **CHILD’S** parents or guardian, or in the absence thereof, the  
18 child’s nearest relative **EXCEPT WHEN THE OFFENSE CHARGED**  
19 **IS MURDER, PARRICIDE, INFANTICIDE, HOMICIDE, KIDNAPPING**  
20 **AND SERIOUS ILLEGAL DETENTION, RAPE, ROBBERY,**  
21 **DESTRUCTIVE ARSON, CARNAPPING, DRUG TRAFFICKING OR**  
22 **OTHER OFFENSES PUNISHABLE BY MORE THAN TWELVE (12)**  
23 **YEARS. IN WHICH CASES, IT IS PRESUMED THAT THE CHILD**  
24 **ACTED WITH DISCERNMENT.**

25 **THE CHILD WHO ACTED WITH DISCERNMENT SHALL**  
26 **BE SUBJECTED TO A COMMUNITY-BASED INTERVENTION**  
27 **PROGRAM SUPERVISED BY THE LOCAL SOCIAL WELFARE AND**  
28 **DEVELOPMENT OFFICER. [Said authority shall give notice to**

1 the] **THE** local social welfare and development officer [who  
2 will] **SHALL** determine the appropriate programs in consultation  
3 with the child and [to] the person [having] **WHO HAS** custody  
4 over the child. If the parents, guardians or nearest relatives  
5 cannot be located, or if they refuse to take custody, the child may  
6 be released to any of the following: a duly registered  
7 nongovernmental or religious organization; a barangay official or  
8 a member of the Barangay Council for the Protection of Children  
9 (BCPC); a local social welfare and development officer; or,  
10 when and where appropriate, the DSWD. If the child [referred  
11 to herein] has been found by the Local Social Welfare and  
12 Development Office (**LSWDO**) to be **DEPENDENT**, abandoned[,]  
13 **OR** neglected [or abused by his parents, or in the event that the  
14 parents will not comply with the prevention program,] **AND THE**  
15 **BEST INTEREST OF THE CHILD REQUIRES THAT THE CHILD BE**  
16 **PLACED IN A YOUTH CARE FACILITY, THE CHILD'S PARENTS OR**  
17 **GUARDIAN SHALL EXECUTE A WRITTEN AUTHORIZATION FOR**  
18 **THE VOLUNTARY COMMITMENT OF THE CHILD: PROVIDED,**  
19 **THAT IF THE CHILD HAS NO PARENTS OR GUARDIAN OR IF**  
20 **THEY REFUSE OR FAIL TO EXECUTE THE WRITTEN**  
21 **AUTHORIZATION FOR VOLUNTARY COMMITMENT,** the proper  
22 petition for involuntary commitment shall be **IMMEDIATELY**  
23 filed by the DSWD or the [Local Social Welfare and  
24 Development Office] **LSWDO** pursuant to Presidential Decree  
25 No. 603, otherwise known as 'The Child and Youth Welfare  
26 Code' **AND SUPREME COURT ADMINISTRATIVE MATTER NO.**  
27 **02-1-19-SC WHICH TOOK EFFECT ON APRIL 15, 2002**

1            EMBODYING THE RULE ON COMMITMENT OF CHILDREN:  
2            *PROVIDED, FURTHER, THAT THE MINIMUM AGE FOR CHILDREN*  
3            *COMMITTED TO A YOUTH CARE FACILITY SHALL BE TWELVE*  
4            *(12) YEARS OLD."*

5            SEC. 5. Republic Act No. 9344 is further amended by inserting new  
6 sections to be designated as Section 20-A to Section 20-D to read as follows:

7            "SEC. 20-A. *REPETITION OF OFFENSES. - A CHILD*  
8            *WHO IS ABOVE TWELVE (12) YEARS OLD TO FIFTEEN (15)*  
9            *YEARS OF AGE, AND WHO COMMITS AN OFFENSE MORE THAN*  
10            *TWO TIMES SHALL BE DEEMED A NEGLECTED CHILD UNDER*  
11            *PRESIDENTIAL DECREE NO. 603, AS AMENDED, AND SHALL*  
12            *UNDERGO AN INTENSIVE INTERVENTION PROGRAM*  
13            *SUPERVISED BY THE LOCAL SOCIAL WELFARE AND*  
14            *DEVELOPMENT OFFICER: PROVIDED, THAT, IF THE BEST*  
15            *INTEREST OF THE CHILD REQUIRES THAT THE CHILD IS*  
16            *PLACED IN A YOUTH CARE FACILITY, THE CHILD'S PARENTS OR*  
17            *GUARDIAN SHALL EXECUTE A WRITTEN AUTHORIZATION FOR*  
18            *THE VOLUNTARY COMMITMENT OF THE CHILD: PROVIDED,*  
19            *FURTHER, THAT, IF THE CHILD HAS NO PARENTS OR GUARDIAN*  
20            *OR IF THEY REFUSE OR FAIL TO EXECUTE THE WRITTEN*  
21            *AUTHORIZATION FOR VOLUNTARY COMMITMENT, THE*  
22            *PROPER PETITION FOR INVOLUNTARY COMMITMENT SHALL BE*  
23            *IMMEDIATELY FILED BY THE DSWD OR THE LSWDO*  
24            *PURSUANT TO PRESIDENTIAL DECREE NO. 603, AS AMENDED,*  
25            *AND THE SUPREME COURT RULE ON COMMITMENT OF*  
26            *CHILDREN: PROVIDED, FINALLY, THAT THE MINIMUM AGE FOR*  
27            *CHILDREN COMMITTED TO A YOUTH CARE FACILITY SHALL BE*  
28            *ABOVE TWELVE (12) YEARS OLD."*

29            "SEC. 20-B. *EXPLOITATION OF CHILDREN FOR*  
30            *COMMISSION OF CRIMES. - ANY PERSON WHO, IN THE*

1 COMMISSION OF A CRIME, MAKES USE, TAKES ADVANTAGE OF,  
2 OR PROFITS FROM THE USE OF CHILDREN, SHALL BE IMPOSED  
3 THE PENALTY PRESCRIBED BY LAW FOR THE CRIME  
4 COMMITTED, IN ITS MAXIMUM PERIOD.”

5 “SEC. 20-C. *ASSISTANCE TO VICTIMS OF OFFENSES*  
6 *COMMITTED BY CHILDREN.* – THE VICTIM OF THE OFFENSE  
7 COMMITTED BY A CHILD AND THE VICTIM’S FAMILY SHALL BE  
8 PROVIDED THE APPROPRIATE ASSISTANCE AND  
9 PSYCHOLOGICAL INTERVENTION BY THE LOCAL SOCIAL  
10 WELFARE AND DEVELOPMENT OFFICER AND THE DSWD.”

11 “SEC. 20-D. *JOINT PARENTAL RESPONSIBILITY.* – THE  
12 COURT MAY REQUIRE THE PARENTS OF A CHILD IN CONFLICT  
13 WITH THE LAW OR A YOUTHFUL OFFENDER TO UNDERGO  
14 COUNSELING OR ANY OTHER ACTIVITY THAT, IN THE OPINION  
15 OF THE COURT, WOULD ADVANCE THE WELFARE AND BEST  
16 INTEREST OF THE CHILD.

17 “AS USED IN THIS ACT, ‘PARENTS’ SHALL MEAN ANY OF  
18 THE FOLLOWING:

19 “(A) BIOLOGICAL PARENTS OF THE CHILD; OR

20 “(B) ADOPTIVE PARENTS OF THE CHILD; OR

21 “(C) INDIVIDUALS WHO HAVE CUSTODY OF THE CHILD.

22 “A COURT EXERCISING JURISDICTION OVER A CHILD IN  
23 CONFLICT WITH THE LAW OR A YOUTHFUL OFFENDER MAY  
24 REQUIRE THE ATTENDANCE OF ONE OR BOTH PARENTS OF THE  
25 CHILD AT THE PLACE WHERE THE PROCEEDINGS ARE TO BE  
26 CONDUCTED.

27 “THE PARENTS SHALL BE LIABLE FOR DAMAGES UNLESS  
28 THEY PROVE, TO THE SATISFACTION OF THE COURT, THAT  
29 THEY WERE EXERCISING REASONABLE SUPERVISION OVER THE  
30 CHILD AT THE TIME THE CHILD COMMITTED THE OFFENSE  
31 AND EXERTED REASONABLE EFFORT AND UTMOST DILIGENCE

1           **TO PREVENT OR DISCOURAGE THE CHILD FROM COMMITTING**  
 2           **ANOTHER OFFENSE.”**

3           SEC. 6. Sections 21, 22 and 23 of Republic Act No. 9344 are hereby  
 4 amended to read as follows:

5   **“TITLE V**

6   **“JUVENILE JUSTICE AND WELFARE SYSTEM**

7   **“CHAPTER I**

8   **“INITIAL CONTACT WITH THE CHILD**

9   **“SEC. 21. *Procedure for Taking the Child into Custody.***

10           – From the moment a child is taken into custody, the law  
 11 enforcement officer shall:

12   **“(a) x x x;**

13   **“(b) x x x;**

14   **“(c) x x x;**

15   **“(d) Refrain from using vulgar or profane words and**  
 16 **from sexually harassing or abusing, or making sexual advances**  
 17 **on the child in conflict with the law OR A YOUTHFUL OFFENDER;**

18   **“(e) x x x;**

19   **“(f) Refrain from subjecting the child in conflict with the**  
 20 **law OR A YOUTHFUL OFFENDER to greater restraint than is**  
 21 **necessary for [his/her] THE apprehension;**

22   **“(g) x x x;**

23   **“(h) x x x;**

24   **“(i) x x x;**

25   **“(j) x x x;**

26   **“(k) Ensure that should detention of the child in conflict**  
 27 **with the law OR A YOUTHFUL OFFENDER be necessary, the child**



1 shall be secured in quarters separate from that of the opposite sex  
2 and adult offenders;

3 “(l) x x x;

4 “(m) x x x.

5 “A child in conflict with the law OR A YOUTHFUL  
6 OFFENDER shall only be searched by a law enforcement officer  
7 of the same gender and shall not be locked up in a detention  
8 cell.”

9 “SEC. 22. *Duties During Initial Investigation.* – The  
10 law enforcement officer shall, in [his/her] THE CONDUCT OF THE  
11 investigation, determine where the case involving the child in  
12 conflict with the law OR A YOUTHFUL OFFENDER should be  
13 referred.

14 “x x x.

15 “THE LOCAL SOCIAL WELFARE AND DEVELOPMENT  
16 OFFICER SHALL CONDUCT AN INITIAL ASSESSMENT TO  
17 DETERMINE WHETHER OR NOT THE CHILD ACTED WITH  
18 DISCERNMENT, USING THE ASSESSMENT TOOLS DEVELOPED BY  
19 THE DSWD, AND TO FORMULATE THE APPROPRIATE  
20 INTERVENTIONS FOR THE REHABILITATION OF THE CHILD.  
21 THE INITIAL ASSESSMENT SHALL BE WITHOUT PREJUDICE TO  
22 THE PREPARATION OF A MORE COMPREHENSIVE CASE STUDY  
23 REPORT.

24 “[After the initial investigation, t]The local social worker  
25 [conducting the same may] SHALL do either of the following:

26 “(a) Proceed in accordance with Section 20 if the child  
27 is [fifteen (15)] TWELVE (12) years or below or above [fifteen

1 (15)] TWELVE (12) but below [eighteen (18)] FIFTEEN (15)  
 2 years old, who acted without discernment; and

3 “(b) PROCEED TO DIVERSION UNDER THE FOLLOWING  
 4 CHAPTER, [I]f the child is above [fifteen (15)] TWELVE (12)  
 5 years old but below [eighteen (18)] FIFTEEN (15) and who acted  
 6 with discernment[, proceed to diversion under the following  
 7 chapter] OR ABOVE FIFTEEN (15) YEARS OLD BUT BELOW  
 8 EIGHTEEN (18).”

9 “SEC. 23. *System of Diversion.* – YOUTHFUL  
 10 OFFENDERS AND [C]Children in conflict with the law WHO  
 11 ACTED WITH DISCERNMENT shall undergo diversion programs  
 12 [without undergoing court proceedings] subject to the conditions  
 13 herein provided:

14 “(a) x x x;

15 “(b) x x x;

16 “(c) x x x.”

17 SEC. 7. Subparagraph (6), paragraph (a) of Section 31 of Republic Act  
 18 No. 9344 is hereby amended to read as follows:

19 “SEC. 31. *Kinds of Diversion Programs.* – The  
 20 diversion programs shall include adequate socio-cultural and  
 21 psychological responses and services for the child. At the  
 22 different stages where diversion may be resorted to, the  
 23 following diversion programs may be agreed upon, such as, but  
 24 not limited to:

25 “(a) At the level of the Punong Barangay:

26 “(1) Restitution of property;

27 “(2) Reparation of the damage caused;

- 1                   “(3) Indemnification for consequential damages;
- 2                   “(4) Written or oral apology;
- 3                   “(5) Care, guidance and supervision orders;
- 4                   “(6) Counseling for the child in conflict with the law OR

5                   **A YOUTHFUL OFFENDER and the [child’s] family;**

- 6                   “(7) x x x;
- 7                   “(8) x x x;
- 8                   “(9) x x x.
- 9                   “x x x.”

10                   SEC. 8. Sections 32 and 33 of Republic Act No. 9344 are hereby  
 11 amended to read as follows:

12   “CHAPTER 3

13   “PROSECUTION

14                   “SEC. 32. *Duty of the Prosecutor’s Office.* – There  
 15 shall be a specially trained prosecutor to conduct inquest,  
 16 preliminary investigation and prosecution of cases involving a  
 17 child in conflict with the law **OR A YOUTHFUL OFFENDER.** [If  
 18 there is an] **IT SHALL BE THE DUTY OF THE PROSECUTOR TO**  
 19 **INVESTIGATE ANY** allegation of torture or ill-treatment of a child  
 20 *in conflict with the law OR A YOUTHFUL OFFENDER* during arrest  
 21 or detention[, it shall be the duty of the prosecutor to investigate  
 22 the same].”

23                   “SEC. 33. *Preliminary Investigation and Filing of*  
 24 *Information.* – The prosecutor shall conduct a preliminary  
 25 investigation in the following instances: (a) when the child in  
 26 conflict with the law **OR A YOUTHFUL OFFENDER** does not  
 27 qualify for diversion; (b) when the child, [his/her] **THE CHILD’S**

1 parents or guardian [does] DO not agree to diversion as specified  
 2 in Sections 27 and 28; and (c) when considering the assessment  
 3 and recommendation of the social worker, the prosecutor  
 4 determines that diversion is not appropriate for the child in  
 5 conflict with the law OR A YOUTHFUL OFFENDER.

6 "x x x.

7 "Upon determination of probable cause by the prosecutor,  
 8 the information against the child shall be filed before the Family  
 9 Court OR THE REGIONAL TRIAL COURT WHEN THERE IS NO  
 10 DESIGNATED FAMILY COURT within forty-five (45) days from  
 11 the start of the preliminary investigation. THE INFORMATION  
 12 MUST ALLEGE THAT THE CHILD ACTED WITH DISCERNMENT."

13 SEC. 9. Sections 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 of Republic  
 14 Act No. 9344 are hereby amended to read as follows:

15 "SEC. 35. *Release on Recognizance.* – Where a child is  
 16 detained, the court shall order:

17 "(a) the release of the minor on recognizance to  
 18 [his/her] parents and other suitable persons;

19 "(b) the release of the child in conflict with the law OR  
 20 A YOUTHFUL OFFENDER on bail; or

21 "(c) the transfer of the minor to a youth detention  
 22 home/youth rehabilitation center.

23 "x x x."

24 "SEC. 36. *Detention of the Child Pending Trial.* –  
 25 [Children] A CHILD detained pending trial may be released on  
 26 bail or recognizance as provided for under Sections 34 and 35  
 27 under this Act. In all other cases and whenever possible,  
 28 detention pending trial may, IN THE DISCRETION OF THE

1           **COURT, TAKING INTO CONSIDERATION PUBLIC SECURITY AND**  
2           **SAFETY,** be replaced by alternative measures, such as close  
3           supervision, intensive care or placement with a family or in an  
4           educational setting or home. Institutionalization or detention of  
5           the child pending trial shall be used only as a measure of last  
6           resort and for the shortest possible period of time.

7           “Whenever detention is necessary, a child will always be  
8           detained in youth detention homes established by local  
9           governments, pursuant to Section 8 of the Family Courts Act, in  
10          the city or municipality where the child resides **OR WHERE SUCH**  
11          **YOUTH DETENTION CENTER IS NOT AVAILABLE, IN A SEPARATE**  
12          **SECTION OF THE PROVINCIAL, CITY OR MUNICIPAL JAIL**  
13          **EXCLUSIVELY DESIGNED FOR YOUTHFUL OFFENDERS.**

14          “**In the absence of a youth detention home OR BAHAY**  
15          **PAG-ASA AS DEFINED IN THIS ACT,** the child in conflict with the  
16          law **OR A YOUTHFUL OFFENDER** may be committed to the care  
17          of the DSWD or a local rehabilitation center recognized by the  
18          government in the province, city or municipality within the  
19          jurisdiction of the court. The center or agency concerned shall  
20          be responsible for the child’s appearance in court whenever  
21          required.”

22          “**SEC. 37. *Diversion Measures.* --** Where the maximum  
23          penalty imposed by law for the offense with which the child in  
24          conflict with the law **OR A YOUTHFUL OFFENDER** is charged is  
25          imprisonment of not more than twelve (12) years, regardless of  
26          the fine or fine alone regardless of the amount, and before  
27          arraignment of the child in conflict with the law **OR A YOUTHFUL**

1           **OFFENDER**, the court shall determine whether or not diversion is  
2 appropriate.”

3           “*SEC. 38. Automatic Suspension of Sentence.* – Once  
4 the child who is under [eighteen (18)] **FIFTEEN (15)** years of age  
5 at the time of the commission of the offense is found guilty of the  
6 offense charged, the court shall determine and ascertain any civil  
7 liability which may have resulted from the offense committed.  
8 However, instead of pronouncing the judgment of conviction, the  
9 court shall place the child in conflict with the law **OR A**  
10 **YOUTHFUL OFFENDER** under suspended sentence, without need  
11 of application: *Provided, however,* That suspension of sentence  
12 shall still be applied even if the juvenile is [already eighteen  
13 (18)] **FIFTEEN (15)** years of age or more at the time of the  
14 pronouncement of [his/her] guilt.

15           “x x x.”

16           “*SEC. 39. Discharge of the Child in Conflict with the*  
17 *Law OR A YOUTHFUL OFFENDER.* – Upon the recommendation  
18 of the social worker who has custody of the child, the court shall  
19 dismiss the case against the child whose sentence has been  
20 suspended and against whom disposition measures have been  
21 issued, and shall order the final discharge of the child if it finds  
22 that the objective of the disposition measures have been fulfilled.

23           “The discharge of the child in conflict with the law **OR A**  
24 **YOUTHFUL OFFENDER** shall not affect the civil liability resulting  
25 from the commission of the offense, which shall be enforced in  
26 accordance with law.”

27           “*SEC. 40. Return of the Child in Conflict with the Law*  
28 *OR A YOUTHFUL OFFENDER to Court.* – If the court finds that

1       the objective of the disposition measures imposed upon the child  
2       in conflict with the law OR A YOUTHFUL OFFENDER have not  
3       been fulfilled, or if the child in conflict with the law OR A  
4       YOUTHFUL OFFENDER has willfully failed to comply with the  
5       conditions of [his/her] disposition or rehabilitation program, the  
6       child in conflict with the law OR A YOUTHFUL OFFENDER shall  
7       be brought before the court for execution of judgment.

8                “If said child in conflict with the law OR A YOUTHFUL  
9       OFFENDER has reached eighteen (18) years of age while under  
10       suspended sentence, the court shall determine whether to  
11       discharge the child in accordance with this Act, to order  
12       execution of sentence, or to extend the suspended sentence for a  
13       certain specified period or until the child reaches the maximum  
14       age of twenty-one (21) years.”

15               “SEC. 41. *Credit in Service of Sentence.* – The child in  
16       conflict with the law OR A YOUTHFUL OFFENDER shall be  
17       credited in the services of [his/her] THE sentence with the full  
18       time spent in actual commitment and detention under this Act.”

19               “SEC. 42. *Probation as an Alternative to*  
20       *Imprisonment.* – The court may, after it shall have convicted  
21       and sentenced a child in conflict with the law OR A YOUTHFUL  
22       OFFENDER, and upon application at any time, place the child on  
23       probation in lieu of service of [his/her] THE sentence taking into  
24       account the best interest of the child. For this purpose, Section 4  
25       of Presidential Decree No. 968, otherwise known as the  
26       ‘Probation Law of 1976’, is hereby amended accordingly.”

27               “SEC. 43. *Confidentiality of Records and Proceedings.* –  
28       All records and proceedings involving children in conflict with

1 the law **OR YOUTHFUL OFFENDERS** from initial contact until  
2 final disposition of the case shall be considered privileged and  
3 confidential. The public shall be excluded during the  
4 proceedings and the records shall not be disclosed directly or  
5 indirectly to anyone by any of the parties or the participants in  
6 the proceedings for any purpose whatsoever, except **WHEN**  
7 **NECESSARY** to determine if the **SENTENCE METED TO THE** child  
8 in conflict with the law **OR A YOUTHFUL OFFENDER** may [have  
9 his/her sentence] **BE** suspended, or if [he/she] **THE CHILD** may  
10 be granted probation under the Probation Law, or [to enforce] **IN**  
11 **LINE WITH THE ENFORCEMENT OF** the civil liability imposed in  
12 the criminal action.

13 "The component authorities shall undertake all measures  
14 to protect this confidentiality of proceedings, including  
15 *nondisclosure of records to the media, maintaining a separate*  
16 *police blotter for cases involving children in conflict with the law*  
17 **OR YOUTHFUL OFFENDERS** and adopting a system of coding to  
18 conceal material information which will lead to the child's  
19 identity. Records of a child in conflict with the law **OR**  
20 **A YOUTHFUL OFFENDER** shall not be used in subsequent  
21 proceedings for cases involving the same offender as an adult,  
22 except when beneficial for the offender and upon [his/her]  
23 written consent.

24 "A person who has been in conflict with the law as a child  
25 **OR HAS BEEN A YOUTHFUL OFFENDER** shall not be held under  
26 any provision of law, to be guilty of perjury or of concealment or  
27 misrepresentation by reason of [his/her] failure to acknowledge



1 the case or recite any fact related thereto in response to any  
2 inquiry made [to him/her] for any purpose.”

3 “SEC. 44. *Objective of Rehabilitation and Registration.*

4 – The objective of rehabilitation and reintegration of children in  
5 conflict with the law OR YOUTHFUL OFFENDERS is to provide  
6 them with interventions, approaches and strategies that will  
7 enable them to improve their social functioning with the end goal  
8 of reintegration to their families and as productive members of  
9 their communities.”

10 SEC. 10. Sections 46 and 47 of Republic Act No. 9344 are hereby  
11 amended to read as follows:

12 “SEC. 46. *Separate Facilities from Adults.* – In all  
13 rehabilitation or training facilities, it shall be mandatory that  
14 children shall be separated from adults unless they are members  
15 of the same family. Under no other circumstance shall a child in  
16 conflict with the law OR A YOUTHFUL OFFENDER be placed in  
17 the same confinement as adults.

18 “The rehabilitation, training or confinement area of  
19 children in conflict with the law OR YOUTHFUL OFFENDERS shall  
20 provide a home environment where children in conflict with the  
21 law OR YOUTHFUL OFFENDERS can be provided with quality  
22 counseling and treatment.”

23 “SEC. 47. *Female Children.* – Female children in  
24 conflict with the law OR FEMALE YOUTHFUL OFFENDERS placed  
25 in an institution shall be given special attention as to their  
26 personal needs and problems. They shall be handled by female  
27 doctors, correction officers and social workers, and shall be

1 accommodated separately from male children in conflict with the  
2 law OR MALE YOUTHFUL OFFENDERS.”

3 SEC. 11. Sections 49, 50, 51 and 52 of Republic Act No. 9344 are  
4 hereby amended shall read as follows:

5 “SEC. 49. *Establishment of Youth Detention Homes.* --

6 [The LGUs] EACH PROVINCE AND HIGHLY-URBANIZED CITY  
7 SHALL BE RESPONSIBLE FOR BUILDING YOUTH DETENTION  
8 HOMES TO BE KNOWN AS ‘BAHAY PAG-ASA’ AS MANDATED BY  
9 REPUBLIC ACT NO. 8369, OTHERWISE KNOWN AS THE  
10 ‘FAMILY COURTS ACT OF 1997’. MOREOVER, THEY shall set  
11 aside an amount [to build youth detention homes as mandated by  
12 the Family Courts Act] EACH YEAR TO PROVIDE FOR THE  
13 UPKEEP OF THE DETENTION HOMES. Youth detention homes  
14 may also be established by private and NGOs licensed and  
15 accredited by the DSWD, in consultation with the JJWC.”

16 “SEC. 50. *Care and Maintenance of the Child in Conflict*  
17 *with the Law OR A YOUTHFUL OFFENDER.* -- The expenses for  
18 the care and maintenance of a child in conflict with the law OR A  
19 YOUTHFUL OFFENDER under institutional care shall be borne by  
20 [his/her] THE CHILD’S parents or those persons liable to support  
21 [him/her]: *Provided,* That in case [his/her] THE parents or those  
22 persons liable [to] FOR THE support [him/her] cannot pay all or  
23 part of said expenses, the CITY OR municipality where the  
24 [offense was committed shall pay one-third (1/3) of said  
25 expenses or parts thereof; the province to which the municipality  
26 belongs shall pay one-third (1/3) and the remaining one-third  
27 (1/3) shall be borne by the national government. Chartered cities

1 shall pay two-thirds (2/3) of said expenses; and] CHILD RESIDES  
2 WILL PAY FOR THE COST OR THE BALANCE OF THE UNPAID  
3 EXPENSES FOR THE CARE AND MAINTENANCE OF SAID CHILD:  
4 *PROVIDED, FURTHER, THAT* in case [a chartered] SAID city OR  
5 MUNICIPALITY cannot pay said expenses, THE PROVINCE SHALL  
6 PAY FOR IT. [part of the internal revenue allotments applicable  
7 to the unpaid portion shall be withheld and applied to the  
8 settlement of said obligations: *Provided, further,* That in the  
9 event that the child in conflict with the law is not a resident of  
10 the municipality/city where the offense was committed, the court,  
11 upon its determination, may require the city/municipality where  
12 the child in conflict with the law resides to shoulder the cost.]

13 “All city and provincial governments must exert effort for  
14 the immediate establishment of local detention homes for  
15 children in conflict with the law OR YOUTHFUL OFFENDERS.”

16 “SEC. 51. *Confinement of Convicted Children in*  
17 *Agricultural Camps and other Training Facilities.* – A child  
18 in conflict with the law OR A YOUTHFUL OFFENDER may, after  
19 conviction and upon order of the court, be made to serve  
20 [his/her] sentence, in lieu of confinement in a regular penal  
21 institution, in an agricultural camp and other training facilities  
22 that may be established, maintained, supervised and controlled  
23 by the BUCOR, in coordination with the DSWD.”

24 “SEC. 52. *Rehabilitation of Children in Conflict with the*  
25 *Law OR YOUTHFUL OFFENDERS.* – Children in conflict with the  
26 law OR YOUTHFUL OFFENDERS, whose sentences are suspended  
27 may, upon order of the court, undergo any or a combination of  
28 disposition measures best suited to the rehabilitation and welfare

1 of the child as provided in the Supreme Court Rule on Juveniles  
2 in Conflict with the Law.

3 "If the community-based rehabilitation is availed of by a  
4 child in conflict with the law **OR A YOUTHFUL OFFENDER**,  
5 **[he/she] THE CHILD** shall be released to parents, guardians,  
6 relatives or any other responsible person in the community.  
7 Under the supervision and guidance of the local social welfare  
8 and development officer, and in coordination with **[his/her] THE**  
9 **parents/guardian**, the child in conflict with the law **OR**  
10 **A YOUTHFUL OFFENDER** shall participate in community-based  
11 programs, which shall include, but not **BE** limited to:

12 "(1) Competency and life skills development;

13 "(2) Socio-cultural and recreational activities;

14 "(3) Community volunteer projects;

15 "(4) Leadership training;

16 "(5) Social services;

17 "(6) Homelife services;

18 "(7) Health services;

19 "(8) Spiritual enrichment; and

20 "(9) Community and family welfare services.

21 "x x x."

22 SEC. 12. Section 56 of Republic Act No. 9344 is hereby amended to  
23 read as follows:

24 "SEC. 56. *After-Care Support Services for Children in*  
25 *Conflict with the Law OR YOUTHFUL OFFENDERS.* – Children  
26 in conflict with the law **OR YOUTHFUL OFFENDERS** whose cases  
27 have been dismissed by the proper court because of good  
28 behavior as **[per recommendation of] RECOMMENDED BY** the

1 DSWD social worker and/or any accredited NGO youth  
2 rehabilitation center shall be provided after-care services by the  
3 local social welfare and development officer for a period of at  
4 least six (6) months. The service includes counseling and other  
5 community-based services designed to facilitate social  
6 reintegration, prevent re-offending and make the children  
7 productive members of the community.”

8 SEC. 13. A new section shall be inserted after Section 57 of the same  
9 Act to be designated as Section 57-A and which shall read as follows:

10 **“SEC. 57-A. VIOLATIONS OF LOCAL ORDINANCES. --**  
11 **ORDINANCES ENACTED BY LOCAL GOVERNMENTS**  
12 **CONCERNING JUVENILE STATUS OFFENSES SUCH AS, BUT NOT**  
13 **LIMITED TO, CURFEW VIOLATIONS, TRUANCY, PARENTAL**  
14 **DISOBEDIENCE, ANTI-SMOKING AND ANTI-DRINKING LAWS, AS**  
15 **WELL AS LIGHT OFFENSES AND MISDEMEANORS AGAINST**  
16 **PUBLIC ORDER OR SAFETY SUCH AS, BUT NOT LIMITED TO,**  
17 **DISORDERLY CONDUCT, PUBLIC SCANDAL, HARASSMENT,**  
18 **DRUNKENNESS, PUBLIC INTOXICATION, CRIMINAL NUISANCE,**  
19 **VAGRANCY, VANDALISM, GAMBLING, MENDICANCY,**  
20 **LITTERING, PUBLIC URINATION, AND TRESPASSING, SHALL BE**  
21 **FOR THE PROTECTION AND WELFARE OF CHILDREN. NO**  
22 **PENALTY SHALL BE IMPOSED ON CHILDREN FOR SAID**  
23 **VIOLATIONS, AND THEY SHALL INSTEAD BE BROUGHT TO**  
24 **THEIR RESIDENCE OR TO THE BARANGAY HALL TO BE**  
25 **RELEASED TO THE CUSTODY OF THEIR PARENTS.**  
26 **APPROPRIATE INTERVENTION PROGRAMS SHALL BE PROVIDED**  
27 **FOR IN SUCH ORDINANCES.”**

28 SEC. 14. Section 63 of Republic Act No. 9344 is hereby amended to  
29 read as follows:

## "CHAPTER 4

## "APPROPRIATION PROVISION

1  
2  
3           "SEC. 63. *Appropriations.* – The amount necessary to  
4 carry out the [initial implementation] PROVISIONS of this Act  
5 shall be charged [to the Office of the President] AGAINST THE  
6 CURRENT YEAR'S APPROPRIATIONS OF THE JUVENILE JUSTICE  
7 AND WELFARE COUNCIL UNDER THE BUDGET OF THE  
8 DEPARTMENT OF JUSTICE. Thereafter, such sums as may be  
9 necessary for the continued implementation of this Act shall be  
10 included in the [succeeding] BUDGET OF THE DEPARTMENT OF  
11 SOCIAL WELFARE AND DEVELOPMENT UNDER THE ANNUAL  
12 General Appropriations Act.

13           "IN ADDITION, THE COUNCIL MAY ACCEPT DONATIONS,  
14 GRANTS AND CONTRIBUTIONS FROM VARIOUS SOURCES, IN  
15 CASH OR IN KIND, FOR PURPOSES RELEVANT TO ITS  
16 FUNCTIONS, SUBJECT TO THE USUAL GOVERNMENT  
17 ACCOUNTING AND AUDITING RULES AND REGULATIONS."

18           [An initial amount of Fifty million pesos  
19 (P50,000,000.00) for the purpose of setting up the JJWC shall be  
20 taken from the proceeds of the Philippine Charity Sweepstakes  
21 Office.]

22           SEC. 15. The Title of Republic Act No. 9344 is hereby amended to  
23 read as follows:

24           "An Act Establishing a Comprehensive Juvenile Justice  
25 And Welfare System, Creating the Juvenile Justice and Welfare  
26 Council Under the Department of [Justice] SOCIAL WELFARE

1           AND DEVELOPMENT, Appropriating Funds Therefor and for  
2           Other Purposes.”

3           SEC. 16. *Implementing Rules and Regulations.* – The JJWC shall  
4 promulgate the necessary rules and regulations within sixty (60) days from the  
5 effectivity of this Act.

6           SEC. 17. *Repealing Clause.* – All laws, decrees, ordinances and rules  
7 inconsistent with the provisions of this Act are hereby modified or repealed  
8 accordingly.

9           SEC. 18. *Separability Clause.* – If any provision of this Act is held  
10 unconstitutional, other provisions not affected thereby shall remain valid and  
11 binding.

12           SEC. 19. *Effectivity Clause.* – This Act shall take effect after fifteen  
13 (15) days from its publication in at least two (2) national newspapers of general  
14 circulation.

Approved,

**O**