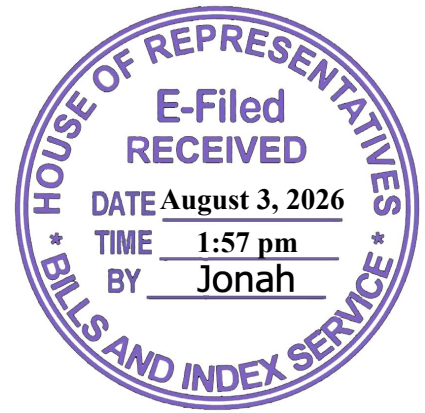


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
Second Regular Session



House Bill No. 10503

Introduced by: **REP. JOEL R. CHUA**

EXPLANATORY NOTE

Twenty years have passed since the enactment of Republic Act No. 9344, otherwise known as the *Juvenile Justice and Welfare Act of 2006*. While the law established a comprehensive juvenile justice system centered on rehabilitation and restorative justice, many local government units continue to face significant challenges in its implementation.

A recent Senate hearing revealed that only **28 of the country's 117 operational Bahay Pag-asa facilities are accredited by the Department of Social Welfare and Development (DSWD)**, meaning that only 24% are fully compliant with national standards. The Bahay Pag-asa, defined by the Juvenile Justice and Welfare Council as a 24-hour child-caring institution established, funded, and managed by local government units, serves as a cornerstone of the country's juvenile justice system. These figures underscore the persistent implementation gaps at the local level and the urgent need to strengthen accountability, funding, and oversight.

The success of the juvenile justice system depends not only on sound national policies but also on the commitment and capacity of local governments to implement them. Without functional Local Councils for the Protection of Children (LCPCs), adequate local funding, effective monitoring, and properly maintained rehabilitation facilities, children in conflict with the law are deprived of meaningful opportunities for intervention, rehabilitation, and reintegration.

This measure strengthens the implementation of Republic Act No. 9344 by requiring the establishment and functionality of Local Councils for the Protection of Children, ensuring adequate local funding, enhancing monitoring and reporting mechanisms, providing incentives for compliant local government units, and holding local officials accountable for the faithful implementation of the law.

No child should be denied the opportunity to reform, rebuild, and become a productive member of society simply because the programs intended to protect them were not fully implemented. By strengthening accountability and ensuring that every local government fulfills its responsibilities under the law, we reaffirm our commitment to giving every child the care, guidance, and second chance they deserve.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'JOEL R. CHUA', with a stylized flourish at the end.

JOEL R. CHUA

Representative, 3rd District, Manila

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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House Bill No. **10503**

Introduced by: **REP. JOEL R. CHUA**

AN ACT AMENDING SECTIONS 15 AND 18 OF REPUBLIC ACT NO. 9344, OTHERWISE KNOWN AS THE "JUVENILE JUSTICE AND WELFARE ACT OF 2006," AS AMENDED, TO STRENGTHEN LOCAL GOVERNMENT IMPLEMENTATION OF JUVENILE JUSTICE PROGRAMS, ENHANCE ACCOUNTABILITY MECHANISMS, AND FOR OTHER PURPOSES

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

Section 1. Amendment of Section 15 of Republic Act No. 9344. – Section 15 of Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of 2006," as amended by Republic Act No. 10630, is hereby further amended to read as follows:

"Section 15. Establishment and Strengthening of Local Councils for the Protection of Children (LCPC). — Local Councils for the Protection of Children (LCPCs) shall be established in every province, city, municipality, and barangay. Existing LCPCs shall be strengthened, regularly convened, adequately funded, and continuously capacitated to effectively discharge their mandates under this Act.

Membership of the LCPC shall be composed of representatives from the local government, relevant national government agencies, civil society organizations, the academe, faith-based organizations, the private sector, and at least one (1) duly selected representative from the youth sector.

The local council shall serve as the primary agency to coordinate with and assist the LGU concerned for the adoption of a comprehensive plan on delinquency prevention, and to oversee its proper implementation.

Every province, city, and municipality shall annually appropriate sufficient funds to ensure the full and effective implementation of this Act. The minimum funding requirement and standards for determining such appropriation shall be prescribed through joint guidelines to be issued by the Juvenile Justice and Welfare Council (JJWC) and the Department of Budget and Management (DBM), taking into consideration the income classification of the local government unit, population, incidence of children in conflict with the law, existing child protection programs, and other relevant indicators.

Such appropriation shall be used exclusively for the operation and programs of the LCPC, diversion and intervention programs, Bahay Pag-asa, youth detention homes, rehabilitation and reintegration services, capability-building activities, child protection initiatives, and other programs authorized under this Act.

The utilization and disbursement of such funds shall be subject to existing budgeting, accounting, procurement, and auditing laws, rules, and regulations.

Every local government unit shall submit to the Juvenile Justice and Welfare Council (JJWC), through the Department of the Interior and Local Government (DILG), an annual report on the implementation of this Act, including the functionality of its LCPC, programs undertaken, fund utilization, performance indicators, and outcomes.

Section 2. *Insertion of a New Section 18.* – A new Section 18 is hereby inserted after Section 17 of Republic Act No. 9344 to read as follows:

" Section 18. Accountability of Local Government Officials. — The Local Chief Executive shall have the primary responsibility for ensuring the faithful implementation of this Act within his or her territorial jurisdiction and shall exercise all powers and perform all duties vested by law to achieve its objectives.

The Local Chief Executive shall:

(a) ensure the establishment, regular convening, and continuous functionality of the Local Council for the Protection of Children (LCPC);

(b) include in the annual executive budget appropriations sufficient to implement the programs and activities required under this Act, in accordance with the funding standards prescribed pursuant to Section 15 hereof, and recommend such appropriations to the Sanggunian for its consideration;

(c) ensure the implementation of diversion, intervention, rehabilitation, reintegration, and child protection programs in accordance with this Act;

(d) ensure the establishment, operation, maintenance, or access to appropriate youth care facilities, including Bahay Pag-asa and youth detention homes, whenever required under this Act or other applicable laws;

(e) ensure the timely submission of all reports and compliance documents required under this Act; and

(f) ensure compliance with all standards, duties, and obligations prescribed under this Act and its implementing rules and regulations.

The unjustified failure of the Local Chief Executive to substantially perform the duties imposed under this Section, resulting in the continued non-functionality of the LCPC, the non-implementation of mandatory juvenile justice programs, the repeated failure to submit required reports, or other material violations of this Act for two (2) consecutive years, despite notice and reasonable opportunity to comply, shall constitute *prima facie* evidence of gross neglect of duty, without prejudice to the right of the respondent to present evidence to the contrary in the appropriate administrative proceedings.

Without prejudice to any civil or criminal liability under existing laws, any Local Chief Executive found administratively liable for gross neglect of duty, grave misconduct, or other administrative offense arising from violations of this Act shall be subject to the appropriate penalties under Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees," Republic Act No. 6770, otherwise known as the "Ombudsman Act of 1989," and other applicable laws.

The Department of the Interior and Local Government (DILG), in coordination with the Juvenile Justice and Welfare Council (JJWC), shall annually monitor compliance with this Act, provide technical assistance where necessary, and, upon finding substantial and unjustified non-compliance, may recommend the institution of the appropriate administrative proceedings before the proper disciplinary authority in accordance with existing laws, rules, and regulations."

Section 3. *Compliance as a Criterion for the Seal of Good Local Governance.* – Compliance with the requirements of this Act, including the functionality of the Local Council for the Protection of Children (LCPC), the implementation of juvenile justice and

child protection programs, the timely submission of required reports, and the proper utilization of appropriated funds, shall be considered as one of the criteria in the assessment of local government units for the grant of the Seal of Good Local Governance (SGLG), subject to existing laws, rules, and regulations.

Section 4. *Incentives and Corrective Measures.* – The Department of the Interior and Local Government (DILG), in coordination with the Juvenile Justice and Welfare Council (JJWC), shall establish a system of annual performance evaluation for local government units based on compliance with this Act.

Local government units found to be fully compliant shall be given priority in the grant of technical assistance, capability-building programs, pilot projects, child protection initiatives, and other forms of national government support, subject to existing laws, rules, and regulations.

Where an assessment reveals substantial non-compliance, the DILG shall issue a Notice of Deficiency directing the concerned local government unit to submit, within sixty (60) days, a Corrective Action Plan specifying the measures necessary to achieve compliance.

Failure to implement the Corrective Action Plan within the prescribed period, without justifiable cause, shall constitute a ground for the DILG to recommend the institution of the appropriate administrative proceedings before the proper disciplinary authority, without prejudice to other remedies available under existing laws.

Section 5. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Juvenile Justice and Welfare Council (JJWC), in coordination with the Department of the Interior and Local Government (DILG), the Department of Social Welfare and Development (DSWD), the Department of Budget and Management (DBM), the Commission on Audit (COA), and other concerned agencies, shall promulgate the implementing rules and regulations necessary for the effective implementation of this Act.

Section 6. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 7. *Repealing Clause.* – All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.