

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 894

HOUSE OF REPRESENTATIVES

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Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT PROHIBITING THE ROAMING, LOITERING OR SLEEPING OF UNCHAPERONED CHILDREN BELOW EIGHTEEN YEARS OF AGE AT LATE HOURS OF THE EVENING OUTSIDE THEIR DOMICILE AND PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

The 1987 Constitution mandates that: "The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." (Article II, Sec. 5).

It also provides in Article II, Section 13 that, "The State recognizes the vital role of the 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 civil affairs."

The potential of the youth to make lasting contributions to nation building is unparalleled. Yet, some serious flaws have appeared in our social and cultural fabric, characterized by destructive behaviors among some of our youth that are damaging their lives and that of our country as well as the ability of this generation to achieve its full potential.

The alarming increase in the incidence of crimes committed by and against minors necessitates the implementation of a measure that will reduce opportunities for juvenile crime to thrive in the country and ensure the safety and well being of our young people.

Hence, this measure seeks to keep minors off the street at odd hours of the night and compel them to stay at home in order to curb their exposure to criminality and negative influences of street life such as those of illegal drugs and other vices that may contribute to their delinquency.

The bill prohibits unchaperoned minors from loitering around the localities of the country between 10:00 p.m. and 5:00 a.m. in order to provide all children with a healthy, safe and nurturing environment that presents opportunities and conditions for developing their full potential.

Although there is no dearth of local ordinances on the subject all over the country, there is a need to enact a national legislation on curfew for minors consistent with the policy pronouncements of President Rodrigo Duterte in curbing criminality in the country.

In view thereof, approval of this bill is earnestly requested.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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

SECTION 1. *Short Title.* – This Act shall be known as the “Disciplinary Hours for Minors Act.”

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

(a) 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.

(b) The State recognizes the right of children to be protected from all forms of neglect, abuse, cruelty and exploitation, and other conditions prejudicial to their development.

(c) It shall be the policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control.

SEC. 3. *Purposes and Objectives.* – The purposes and objectives of this Act are:

(a) To promote the well-being of children and their families by ensuring their collective safety and self-esteem.

(b) To protect children from becoming vulnerable to the negative influences of the street life.

(c) To reduce the opportunities for juvenile crime.

SEC. 4. *Definition of Terms* - For purposes of this Act, the term:

(a) Curfew hours means the hours from 10:00 in the evening until five o'clock in the morning;

(b) Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action such as, but not limited to, a fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life;

(c) Guardian means a person who, under court order, is the guardian of the person of a minor or a person in charge of the custody or who is taking care of a minor, whether relative or not;

(d) Minor means any person below eighteen (18) years of age;

(e) Parent means a person who is a natural parent, adoptive parent, or step-parent of a minor;

(f) Public place means all places accessible to the general public or places for collective use.

SEC. 5. *Prohibition.* – It shall be unlawful for any unchaperoned minor to loiter, roam around or meander, or sleep in any public place during curfew hours from ten o'clock in the

evening until five o'clock in the morning without lawful purpose or justifiable reason.

SEC. 6. *Exceptions.* – The prohibitions provided under the preceding section shall not apply in the following circumstances:

(a) When the minor is accompanied by his or her parent or guardian;

(b) When the minor is out in the street during the prohibited period for such purposes like doing errand at the instance of his or her parent/s or guardian/s. Provided, that such minor is authorized to do so under a written and signed certification by any of the above-mentioned persons who gave him or her permission to go out during curfew hours for lawful or legitimate purposes. Provided, further, that such minor shall not loiter after the performance of his or her errand/s;

(c) When the minor is traveling or is in a motor vehicle, particularly a school service;

(d) When the minor is engaged in an authorized employment activity, or going to or returning home from the same, without any detour or stop;

(e) When the minor is involved in an emergency;

(f) When the minor is out of his or her residence attending an official school, religious, recreational, educational, social, community or other organized activity sponsored by the government, school or other private civic organization that supervises the activity or when the minor is going to or returning home from such activity without any detour or stop; and

(g) When the minor can present any document certifying that he or she is a student and was dismissed from his or her class late in the evening or that he or she is a working student.

SEC. 7. *Penalties.* – Any minor who is apprehended by virtue of this Act shall be brought to the Social Welfare and Development Office of the City or Municipality concerned for verification and record purposes. Thereafter, the minor shall be required to undergo a counseling program together with his or her parents or legal guardians.

A minor found violating this Act for the second time and every time thereafter will be required to render a community service.

Any parent or guardian of a minor in violation of this Act for the third time or succeeding offenses shall pay a fine of not less than Five hundred pesos (P500.00) but not more than One thousand pesos (P1,000.00), or be required to render community service for not less than five (5) days but not more than ten (10) days, or both such fine and community service at the discretion of the court: Provided, that the maximum length of community service shall be imposed on parents or legal guardians who have violated the provisions of this Act three (3) times; Provided, further, That in addition to community service, the penalty of imprisonment of fifteen (15) days but not more than thirty (30) days or both at the discretion of the court, shall be imposed on the parents or legal guardians who have violated the provisions of this Act more than three (3) times.

SEC. 8. *Implementing Rules and Regulations.* - The Department of Interior and Local Government, in consultation with the Liga ng mga Barangay sa Pilipinas, shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 9. *Repealing Clause.* - All laws, orders, proclamations, rules and regulations, or part thereof, which are inconsistent with any provision of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,