



REPUBLIC OF THE PHILIPPINES
Province of Eastern Samar
MUNICIPALITY OF GUIUAN



-OFFICE OF THE SANGGUNIANG BAYAN-

12th SANGGUNIANG BAYAN

Ordinance No. 036, Series of 2025

AN ORDINANCE PROVIDING FOR THE REGULATION OF CHILD-LABOR IN THE FISHING INDUSTRY AND ESTABLISHING MECHANISM FOR THE PROTECTION OF THE WORKING CHILD AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION IN THE MUNICIPALITY OF GUIUAN

Sponsor: Committee on Women and Family Welfare,
Social Welfare and Community Development
(Chairman: Hon. Mary Charmaine G. Villar)

WHEREAS, Article II, Section 13 of the 1987 Constitution provides that 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;

WHEREAS, the UN Convention on the Rights of the Child, Article 32 states “parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, moral or social development.

WHEREAS, under Section 5 of DOLE Department Order No. 65-04, prohibits Employment of Children in Worst Forms of Child Labor in adherence to ILO Convention No. 182 (*Elimination of the Worst Forms of Child Labor*);

WHEREAS, based on the research conducted by the Child Labor Coalition, according to the Food and Agriculture organization an estimated five percent of children work in fisheries among extremely hazardous child labor (*At the Deed End: Child Labor in Fisheries*);

WHEREAS, Ordinance No. 06, Series of 2017 also known as Children’s code of Guiuan ensures the protection of children against all forms of abuses, exploitations, and discriminations, and promotes their welfare and development.

Article 1. Title and Declaration of Policy.

Section 1. Title. This ordinance shall be known as “Child-fishers Regulation Ordinance”.

Section 2. Declaration of Policy and Principle. The Municipality of Guiuan being proclaimed as a child-friendly municipality, hereby declares its policy to promote fully, enhance and institutionalize the child-fishers rights to survival, development, protection, and participation.

It is the policy of the Municipality to serve the best interest of children engaged in fishing activities which shall be paramount consideration in all actions concerning them

consistent with principles and policies enunciated in the United Nations Convention on the Rights of the Child.

The municipality believes in a holistic protection and development of all children through a strong partnership between and among the government agencies, NGOs and the private sector, serving with the highest degree of professionalism and competence in an atmosphere of unity, solidarity and teamwork.

Section 3. Definition of Terms.

- a. **Child** - refers to a person below eighteen (18) years of age and those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition;
- b. **Child Abuse** - refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
 - (1) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional treatment;
 - (2) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as human being;
 - (3) Unreasonable deprivation of their basic needs for survival such as food and shelter; or
 - (4) Failure to immediately give medical treatment to an injured child resulting in serious impairment of their growth and development or in their permanent incapacity or death.
- c. **Child labor** - refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development.
- d. **Child fishers** - refers to children working in the fisheries sector before, during, and post production who have high exposure and sensitivity to risks.
- e. **Council** – shall refer to the Child-fishers Protection Council.
- f. **Fisheries** - refers to all activities relating to the act or business of fishing, culturing preserving processing marketing, developing, conserving and managing fishery resources.
- g. **Fisherman** – is someone who captures fish and other animals from a body of water.
- h. **Commercial Fishing** - the taking of fishery species with a fishing vessel of more than three (3) gross tons within an area reserved for exclusive use by municipal waters, fishery management areas or other areas reserved for exclusive use by municipal fishers and extending to or beyond the country's 200 - mile exclusive economic zone (EEZ).

Article 2. Child-fisher Activity.

Section 4. Pre-fishing activity. The pre-fishing activities include but not limited to:

- a. Cleaning of fishing boats;
- b. Food and water preparation;
- c. Loading of fishing gears, equipment & accessories; and
- d. Mending of fishing nets

Section 5. During fishing activity. The during fishing activities include but not limited to:

- a. Bailing of water;
- b. Navigation of boat with supervision from his/her parent/guardian; and
- c. Fishing using diverse fishing gears.

Section 6. Post-fishing activity. The post-fishing activities include but not limited to:

- a. Offloading and sorting of fish;
- b. Transporting fish to market place;
- c. Scaling fish/Cleaning fish;
- d. Fish dissecting;
- e. Selling of fishery products;
- f. Gathering of firewood for fish processing;
- g. Smoking/Salting/Sun drying fish/fish processing;
- h. Washing and fixing of nets and other fishing gears; and
- i. Cleaning of fishing boats and accessories.

Article 3. Regulatory Provisions

Section 7. Pre-fishing activity regulations. The following are the regulations to be observed during pre-fishing activity:

- a. Must be conducted only during weekends, holidays, and summer or semestral breaks, but in no case shall exceed 4 hours a day. If conducted during nighttime, the child fisher must be at home before 9:00 o'clock in the evening;
- b. Strict supervision from parents or guardian is mandatory while the child-fisher is conducting pre-fishing activity;
- c. Child-fisher must be knowledgeable of the specific handling of fishing gears; and
- d. Other regulations provided by the Labor Code of the Philippines and relevant laws.

Section 8. During fishing activity regulations. The following are the regulations to be observed during actual fishing activity:

- a. Paragraphs a, b, and c of the preceding section;
- b. Child-fisher shall at all times be equipped with proper protective gears;
- c. Must be accompanied by parents/guardian for supervision; and
- d. Other regulations provided by the Labor Code of the Philippines and relevant laws.

Section 9. Post-fishing activity regulations. The following are the regulations to be observed during post-fishing activity:

- a. Par. a, b, and c of Section 7 of this Ordinance;
- b. Child fisher shall at all times be equipped with proper protective gears; and
- c. Other regulations provided by the Labor Code of the Philippines and relevant laws.

Section 10. General Provision. Child-fishing activities shall only be permitted provided that they are not detrimental to the child's physical, mental, emotional, moral, and social development.

Additionally, children may only engage in fishing activities on boats with a maximum length of 24 feet and an engine power not exceeding 16 horsepower (hp). Engagement of child-fishers in commercial boats is strictly prohibited.

Article 4. Child-fishers Protection Council.

Section 11. Child-fishers Protection Council. There shall be a creation of Child-fishers Protection Council to ensure the effective implementation of the provisions of this Ordinance.

Section 12. Composition. The Child-fishers Protection Council shall be composed of:

Chairman: Municipal Mayor

Vice-chairman: Municipal Social Worker Development Officer

Members:

Chairman of the Committee on Social Welfare and Family (SB Member)
Public Employment Services Office (PESO) Manager
Representative from the Office of Municipal Agricultural Services (OMAS)
Liga ng mga Barangay President
Sangguniang Kabataan Federation President
Municipal Health Officer
Representative from the Academe
Civil Society Organization Representatives
Federated Youth of SIKAT
4P's Municipal Link
SLP Sustainable Livelihood Program

Section 13. Duties and Responsibilities. The Council shall have the following duties and responsibilities:

- a. Formulate Child-fishers development plan and other projects, programs and activities not mentioned in the succeeding section;
- b. Implementation of the development programs and services mentioned in Section 10 of this ordinance;
- c. Updating of the data base;
- d. Convene at least once every quarter, or more frequently as may be necessary
- e. Conduct resource mobilization;
- f. Act supervisory function over the Barangay Child Protection Council (BCPC)

Article 5. Programs and Services

Section 14. Programs and Services. Additional to the projects, programs, and activities identified by the Council, the following are the programs and services to be conducted in order for the efficient and effective implementation of this Ordinance:

- a. Data gathering;
- b. Establishment of Database;
- c. Information Educational Campaign;
- d. Alternative Livelihood Development Program for parents of child-fishers;
- e. Educational Assistance;
- f. Recreational Activities;
- g. Parent Effectiveness Seminar;
- h. Youth Welfare and Development Program;
- i. Child Protection Program; and
- j. Counseling

Article 6. Funding

Section 15. Funding. Initial funding shall be appropriated from GAD fund in the amount of *Three Hundred Thousand (300,000.00)*

Article 7. Monitoring and Oversight

Section 16. Monitoring of Programs and Services. In order to sustain the programs and services provided herein, the Child-fishers Protection Council shall form a monitoring team in coordination with NGO's and other concerned agencies shall conduct monthly/quarterly

monitoring. Additionally, the monitoring shall submit monthly/quarterly reports to the council.

Section 17. Monitoring on Child-fishers. The monitoring team shall conduct monthly random home visit to identified child-fishers.

Article 8. Final Provisions

Section 18. Separability Clause. If any provision of this Ordinance is found to be inconsistent with any law, other provisions or part/s hereof not so affected shall remain in full for and effect.

Section 19. Repealing Clause. Any provision of this Ordinance, Rules and Regulations inconsistent herewith is hereby repealed accordingly.

Section 20. Effectivity. This ordinance shall take effect immediately upon its approval.

ENACTED BY THE SANGGUNIANG BAYAN OF GUIUAN, EASTERN SAMAR, in its 15th Regular Session held on October 08, 2025.

HON. KINNA MAE G. KWAN
SB Member

HON. FLORIANO G. BAGRO, JR.
SB Member

HON. FRANCIS ALDOUS B. SISON
SB Member

HON. JOSUE P. SISON
SB Member

HON. ROGELIO O. CABLAO
SB Member

HON. CARLITO S. ABRUGAR, JR.
SB Member

HON. DOMINADOR G. CHUA, JR
SB Member

HON. ANTONIA R. CABLAO
SB Member

HON. MARY CHARMAINE G. VILLAR
SB Member
President – Liga ng mga Barangay

HON. ULDRICK FRANZDALE C. SOMORAY
SB Member
President – SK Federation

I certify to the correctness of the foregoing Ordinance which was duly enacted by the Sanggunian during its 15th Regular Session held on October 08, 2025:

RECTITO A. MELQUIADES
Secretary to the Sangguniang Bayan

Attested by:

HON. VERONICA C. RAMIREZ
Municipal Vice-Mayor & Presiding Officer

Approved:

HON. ANNALIZA P. GONZALES – KWAN
Municipal Mayor