



Province of Rizal
MUNICIPALITY OF TAYTAY
OFFICE OF THE MUNICIPAL COUNCILOR
Hon. Joanne Marie P. Calderon



August 2, 2019

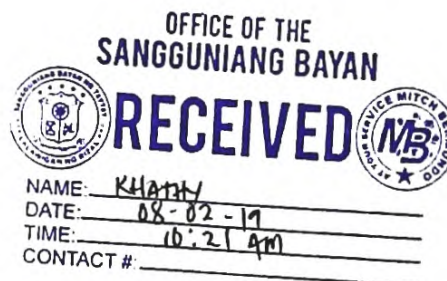
ENDORSEMENT

Respectfully forwarded to the Sangguniang Bayan Members, thru the Office of the Sangguniang Bayan OIC – Secretary, Ms. Sonia C. Samson, the herein attached Draft Ordinance on the “An Ordinance establishing an integrated system for the control and eradication of mendicancy, providing penalties, appropriating funds therefor, and for other purposes.”

Thank you and God bless!

With you in public service,


HON. JOANNE MARIE P. CALDERON
MUNICIPAL COUNCILOR



5th Floor New Municipal Bldg., Don Hilario Avenue, Club Manila East Road Barangay San Juan, Taytay Rizal.

DRAFT ORDINANCE

1908-012

AN ORDINANCE ESTABLISHING AN INTEGRATED SYSTEM FOR THE CONTROL AND ERADICATION OF MENDICACY, PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

AUTHORED & SPONSORED BY: HON JOANNE MARIE P. CALDERON

WHEREAS, the promotion of social justice and protection of life, property and dignity of the citizenry is endangered by rampant mendicancy;

WHEREAS, mendicancy breeds crime, creates traffic hazards, endangers life, health, and exposes mendicants to indignities and degradation and;

WHEREAS, this Municipality enacted Ordinance # 31, series 2015 as "TAYTAY RIZAL CHILDREN'S CODE OF 2015".

WHEREAS, there is an immediate need to provide appropriate integrated interventions/services to enable mendicants to meet their basic needs and develop self-reliance;

NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF TAYTAY IN REGULAR SESSION ASSEMBLED:

Sec. 1. *Title and Scope of the Ordinance.* This Ordinance shall be known as the Mendicancy Act/Ordinance. It shall apply to all mendicants, and exploited infants, children and minors who are 15 years old and below, found begging.

Sec. 2. *Purpose.* This Ordinance shall be interpreted so as to, among others:

- a. Prevent the commission of mendicancy;
- b. Prevent the exploitation of infants, children and minors through mendicancy and provide habilitative services for those already exploited or in immediate danger of exploitation; and
- c. Promote the rehabilitation of minors found begging and mendicants by providing an integrated development package of preventive, habilitative interceptive, remedial, and/or rehabilitative services.

Sec. 3 Definition of terms. As used in this ordinance, the following shall, unless the context otherwise requires, be construed thus:

- a. "Mendicant" refers to any person, except those enumerated in Sec. 4 of this ordinance, who has no visible and legal means of support, or lawful employment and who is physically able to work but neglects to apply himself to some lawful calling and instead uses begging as a means of living.
- b. "Exploited Infant" or "Child" or "Minors" refers to an infant, child or minors 15 years and below who is used in begging or one who accompanies a habitual vagrant or beggar.
- c. "Habitual Mendicants" refers to one who has been convicted of mendicancy under this Ordinance two or more times.
- d. "Duly Licensed Child Placement Agency" or "Individual" is an institution or person licensed by the Department of Social Welfare and Development Office to assume the care, custody, protection and maintenance of children and minors for placement in any child- caring institution or home under the care and custody of any person for purposes of adoption, guardianship or foster care.
- e. Integrated Development Package of Service include the following:
 - 1. Preventive services to measures that forestall the occurrence of situations identified as contributory to mendicancy;
 - 2. Habilitative services refer to measures which provide environmental or socio economic conditions for the exploited infant, child or minors which maximize possibilities and opportunities for the enjoyment of satisfactory equality of life before the formation of undesirable attitudes and values or the onset of conditions most conducive to mendicancy;
 - 3. Interceptive services are measures which channel or direct the growth potential and productive energy of the mendicants infant, child, minors youth or adult to offset the effect of factors contributing to mendicancy;
 - 4. Remedial services refer to measures intended to meet the basic needs and improve living condition of the mendicant; and
 - 5. Rehabilitative services refer to medical, social, educational, psychological and vocational measures to develop and / or restore the mendicant to the fullest state of well-being or economic usefulness of which he/she is capable, and to engage in a gainful occupation.

Sec. 4. *Apprehension Of And Service For Person Found Begging.* Any infants, child or minors 15 years old and below who is found begging or is being utilized by a mendicant for purposes of begging shall be apprehended as a neglected child and shall be committed to the custody and care of the Department of Social Welfare and Development or to any duly licensed child placement agency or individual.

Any person not otherwise covered in the preceding paragraph of this Section who is found begging and the Department of Social Welfare and Development, the Welfare units of the Municipality of Taytay and other cooperating agencies shall provide who is physically or mentally incapable of gainful occupation.

Sec. 5. *Criminal Liability.* A mendicant as defined in paragraph (a) Sec. 3 hereof, shall, upon conviction, be punished by a fine not below P1,000.00 or by imprisonment for a period not exceeding 2 years or both at the discretion of the court.

A habitual mendicant shall be punished by a fine not below P2,000.00 or by imprisonment for a period not exceeding 4 years or both at the discretion of the court. Parents of exploited infants or minors under Sec. 4 of this Ordinance shall be held liable unless they are themselves mendicants.

Any person who abets mendicancy by giving alms directly to mendicants, exploited infants, child and minors on public roads, sidewalk, parks and bridges shall be punished by a fine not below P500.00.

Sec. 6. *Information Program.* The Public Information Office, the Municipal Social Welfare and Development office shall conduct a municipal wide educational and information program on the Mendicancy Ordinance and educate the public to contribute only to lawful fund raising activities and prevent the community in giving alms except through organized institutions, subject to such rules and regulations may promulgate.

Sec. 7. *Local Programs And Facilities.* The Municipality of Taytay integrated social protection interventions especially provides socio-economic, health and social welfare programs and establish operating units including reception and action centers, sheltered workshop, constitute homes and other facilities for mendicants, subject to rules and regulation this Municipality may promulgate.

Sec. 9. *Law Enforcement.* The Philippine National Police in the Municipality of Taytay shall provide the necessary law enforcement and other related

services for the implementation of this Ordinance subject to such rules and regulations , this Municipality may promulgate.

Sec. 10. *Integrated Network Of Services.* The Municipal Social Welfare and Development Office shall provide an Integrated network of appropriate services to exploited infants, children below 15 years of age, as well as mendicant minors and adult mendicants and shall coordinate the services related to the implementation of this Ordinance, subject to such rules and regulations, this Municipality may promulgate.

Sec. 11. *Appropriations.* The Municipality is hereby authorized to appropriate funds from the 1% of Children, 5% of GAD and any funds from the national or local income, in order to support the activities under this Ordinance.

Sec. 12. *Repealing Clause.* Existing ordinances, resolutions, orders, rules and regulations that are inconsistent with this Ordinance hereby repealed or modified accordingly.

Sec. 13. *Separability Of Provisions.* If for any reason any section of provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions thereof that are not affected thereby shall continue in full force and effect.

Sec. 14. *Effectively.* This Ordinance shall take effect immediately after its publication in a local newspaper of general circulation and posting in conspicuous places in the Municipality.