

Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Thirtieth Congress

Second Regular Session

Began and held in Metro Manila, on Monday, the twenty-fifth day of  
July, two thousand five.

[ REPUBLIC ACT NO. **9344** ]

AN ACT ESTABLISHING A COMPREHENSIVE JUVENILE  
JUSTICE AND WELFARE SYSTEM, CREATING THE  
JUVENILE JUSTICE AND WELFARE COUNCIL UNDER  
THE DEPARTMENT OF JUSTICE, APPROPRIATING  
FUNDS THEREFOR AND FOR OTHER PURPOSES

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

TITLE I

GOVERNING PRINCIPLES

CHAPTER 1

TITLE, POLICY AND DEFINITION OF TERMS

SECTION 1. *Short Title and Scope.* - This Act shall be  
known as the "*Juvenile Justice and Welfare Act of 2006*." It

shall cover the different stages involving children at risk and children in conflict with the law from prevention to rehabilitation and reintegration.

SEC. 2. *Declaration of State 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. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

(b) The State shall protect the best interests of the child through measures that will ensure the observance of international standards of child protection, especially those to which the Philippines is a party. Proceedings before any authority shall be conducted in the best interest of the child and in a manner which allows the child to participate and to express himself/herself freely. The participation of children in the program and policy formulation and implementation related to juvenile justice and welfare shall be ensured by the concerned government agency.

(c) The State likewise recognizes the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty and exploitation, and other conditions prejudicial to their development.

(d) Pursuant to Article 40 of the United Nations Convention on the Rights of the Child, the State recognizes the right of every child alleged as, accused of, adjudged, or recognized as, having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, taking into account the child's age and desirability of promoting his/her reintegration. Whenever appropriate and desirable, the State shall adopt measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. It shall ensure that children are dealt with in a manner appropriate to their well-being by providing

for, among others, a variety of disposition measures such as care, guidance and supervision orders, counseling, probation, foster care, education and vocational training programs and other alternatives to institutional care.

(e) The administration of the juvenile justice and welfare system shall take into consideration the cultural and religious perspectives of the Filipino people, particularly the indigenous peoples and the Muslims, consistent with the protection of the rights of children belonging to these communities.

(f) The State shall apply the principles of restorative justice in all its laws, policies and programs applicable to children in conflict with the law.

SEC. 3. *Liberal Construction of this Act* - In case of doubt, the interpretation of any of the provisions of this Act, including its implementing rules and regulations (IRRs), shall be construed liberally in favor of the child in conflict with the law.

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

(a) "Bail" refers to the security given for the release of the person in custody of the law, furnished by him/her or a bondsman, to guarantee his/her appearance before any court. Bail may be given in the form of corporate security, property bond, cash deposit, or recognizance.

(b) "Best Interest of the Child" refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development. It also means the least detrimental available alternative for safeguarding the growth and development of the child.

(c) "Child" refers to a person under the age of eighteen (18) years.

