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Province of Samar
Municipality of Pinabacdao
OFFICE OF THE SANGGUNIANG BAYAN
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MUNICIPAL ORDINANCE NO. 22-002

Series of 2022

AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT (GAD) CODE OF THE MUNICIPALITY OF PINABACDAO AND MANDATING THE IMPLEMENTATION OF A COMPREHENSIVE AND SUSTAINABLE GAD PROGRAM

Be it ordained by the Sangguniang Bayan, that:

CHAPTER 1 – GENERAL PROVISIONS

ARTICLE 1

TITLE: DECLARATION OF PRINCIPLES AND POLICIES AND DEFINITION OF TERMS

SECTION 1. TITLE – This ordinance shall be known and cited as the GENDER and DEVELOPMENT CODE of the municipality of Pinabacdao herein after to as the Code.

SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES – It shall be the policy of the Local Government of the Pinabacdao to uphold the rights of women, believes in their worth, and protect their dignity as human beings;

Women shall be recognized as full and equal partners of men in the development of our nation, sharing equality in their responsibilities and enjoying in the fruits thereof.

The Local Government of Pinabacdao, in its commitments to the establishment of a national and international order based on sustainable and equitable growth undertakes to facilitate the full development of women's potentials towards the improvement of the quality of their lives, their families and that of their communities.

The Local Government of Pinabacdao, fully cognizant of women's efforts towards empowerment and self-determination, shall vigorously pursue and implement gender- responsive development policies, design an integrated gender and development support systems, and implement measures to protect and promote their rights.

TO ATTAIN THE FOREGOING POLICY

1. A reasonable amount from the official development assistance received from foreign government and multilateral agencies and organizations shall be set aside to support programs and activities for women in accordance with the provisions of RA 7192, otherwise known as the Women in Development and National Building Act, by the Local conditions set forth by the funding agencies.
2. The Local Government of Pinabacdao shall ensure that women benefit equally and participate directly in the government programs and projects of said agencies specifically those funded under foreign development assistance to ensure in the development process pursuant to RA 7192.
3. All Government project proposal shall ascertain the inclusion of gender responsive indicators and guidance focusing on roots of women's oppression, pursuant to the United Nations Declarations of which the Philippine Government is a signatory
4. All local government departments and agencies in the municipality of Pinabacdao shall review and revise all their regulations, circulars, issuances and procedures to remove gender biases herein and shall complete the same within two years.
5. The Gender and Development Inter- Agency Committee of Pinabacdao shall be actively consulted in matter dealing with official's development assistance or foreign aid so to determine gender biases and implications on women.

SECTION 3. RELATED PRINCIPLES – To facilitate the development of the full potentials of women, the following rights defined and declared under the United Nations Convention on the Elimination of All forms of Discrimination against Women (CEDAW) are hereby declared under this ordinance.

a) Women have the right to the prevention of, and protection from all forms of violence and coercion against their person, their freedom, their sexuality, and their individuality.
b) Women have the right to freely and duly participate, individually or collectively in the political process of their communities and nation;
c) Women have the right to the means for assuring their economic welfare and security;
d) Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice with the constitution and their beliefs and preferences;
e) Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice with the constitution and their beliefs and preferences;
f) Women have the right to adequate, relevant and gender- fair education throughout their lives, from childhood to adulthood;
g) Women have the right to adequate nutrition. Proper health care and humane living conditions;

h) Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable beings, to build relationships based on respect, trust and mutuality;

i) Women have the right to equality before the law in principles and in practice; however, it is unfortunate that as of the moment a macho image of our society still exists as it continues to view women as the "weaker sex", men are traditionally the heads of the households and in most organizations. Aside from ramp modeling and beauty contests, women today do not share the power and prestige, status and societal positions as men. They rather play supportive roles to men and tend to live to the idea that major decisions are made prerogatives. Oftentimes, women are exploited in media, commercials impressing upon the public that without their attractive and pleasing features, products would be less appealing. But in reality, women should not be viewed as second class to men but as partner of men in development.

In the light of these historical gender biases, inequities, this piece of local legislation will provide the Municipal Government a policy direction to formulate programs and strategies, among other, that will:

1. Mainstream gender concerns in sectoral development plans, policies and program;
2. Intensify awareness campaign on gender issues and concerns;
3. Strengthen GO-PO-NGO partnership to maximize the effectiveness of programs and services addressing Gender and Development (GAD) concerns;
4. Encourage, support and expand the participation of grassroots women in the planning, implementation, monitoring and evaluation of development programs and projects;
5. Recommend appropriate curricula academics that are gender-sensitive;
6. Provide gender- responsive relief and rehabilitation programs with special focus on women and children's needs;
7. Involve men in family planning programs, health and child care and nutrition concerns and engage them in projects that enhance the well- being of the family;
8. Set- up crisis intervention center and shelters in the municipality for survivors of violence against women and children and other conflicts.
9. Promote gender sensitivity in local media and advertising agencies;
10. Increase the members of women in decision and policy making posts in the locality through implementation of capability building programs.

SECTION 4. DEFINITION OF TERMS – The following terms or phrases used in this Code shall mean as follows:

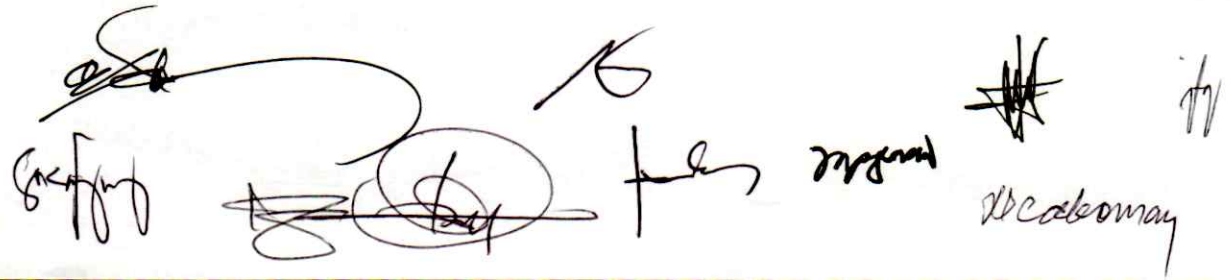
1. **Battering** – A series of physical, emotional and psychological abuse. It is repeated and habitual cyclic patterns as means of intimidation and imposition of the batterer's will and control over the survivor's life. It constitutes the following kind of behavior but is not limited to;

a. **Sexual battering** – This includes physical attacks on the women's breast, genital or forced sexual activity;
b. **Psychological battering** – This includes threats of suicide, violence against women or her family, punching holes in the walls, threatening to take the children away, children or take them to a country and forcing the victim to do degrading things. It may also include controlling the victims' lawful or usual activities, the use of fowl words or statements and threats or abandonment and expulsion such as forcing the wife to leave the conjugal dwelling. This provision shall likewise apply to common law relation but does not include adulterous ones as contemplated in the Revised Penal Code.
c. **Economic battering** – This includes deprivation of women of economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established.
d. **Premeditated and Intentional** –Destruction of property and pets usually victim's favorite.

2. **Benefits Dance/ Disco** – Refers to a dance in the locality where women are commodified for fund Raising purposes.
3. **Collateral relatives** – Next to kin who are not in direct line or inheritance such as cousin.
4. **Commodification of women** – Is a practice which puts women in a situation which results in the treatment of women as both consumers and object of Consumption, as consumers women are allured to buy beauty products to Enhance their physical attractiveness, as objects of consumption women are Reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest, usually in exchange or money or goods so that women have no power or control to reject such utilization or manipulation.
5. **Development** – The improvement of the quality of life of all regardless of age, sex gender, tribe, race, creed and religion. It is characterized by sustained and equitable t
6. **Differently-abled Persons** – Are survivors of physical impairments that have differentiated needs and potentials.
7. **Discrimination against Women – Any distraction, exclusion or restriction mode on the** basis of sex which has the effect or purpose of impairing or nullifying the recognition, Enjoyment or exercise by women of their rights irrespective of their Marital status.
8. **Equity** – Is a concept of distributed justice which is remedial and is intended to overcome bias, Favoritism and inequalities.
9. **Empowerment** – Refers to a process by which women are mobilized to understand, identify and overcome gender discrimination.
10. **Feminization of poverty** –A condition when the gap between the rich and the poor widens and Grassroots women bear the brunt as in economic instability and unequal

Distribution of wealth. Such gap reinforces non- response to both practical and Strategic needs of grassroots women.

11. **Fund Raising Initiatives** – Refers to any activity, whether in whole or in part integrated in any Draw, benefits or disclosure, premier showing of movies or any similar fund-raising undertaking where women are used as donor prize, substitute for cash Prizes won, a companion package for an award prize or recognition or any Manner, activity, come- on display or exhibits which depicts to the male sex and feminine ascribed to the female.
12. **Gender** – Refers to the differentiated social roles, behavior, capacities and intellectuals, emotional and social characteristic attributed social roles, behavior, capacities and intellectuals, Emotional and social characteristic attributed by given culture to women and men, in short, all differences beside the strictly biological. There are two kinds of gender: Masculine ascribed to the male sex and Feminine ascribed to the female.
13. **Gender and Development** – Shall refer to a development perspective which promote greater Focus on people both as development agents and participants. It encourages the equal contributions of women and men in all aspect/sectors of development. Such a Perspective involves the process of searching of new and innovative initiatives which help transform unequal gender relations into opportunities which equally/equitably both men and women. It recognizes that the unequal relation between woman and men is a Major deterrent to social and economic progress. It acknowledges that the difficulties encountered by women have to be addressed to ensure their effective participation in Development. It envisions a future society where women and men equally contributed to and benefit from development.
14. **Gender Equality** – Is the role required by or expected of women and men as prescribed by society. As a key to development, gender equality means the equal empowerment and participation of women, men and other subgroup of society, i.e homosexual, in all Spheres of public and private life.
15. **Gender mainstreaming** – Refers to the strategy of integrating gender and development concern and issues at all levels.
16. **Gender Perspective** – Way of viewing issues and problems that take into consideration the Different realities of women's and men's lives and recognizing that there is an Unequal relationship between the two.
17. **Gender Planning** – Means taking account of gender issued in planning, In development planning. It means that gender issues are recognized in the identification of problems and addressed in development objectives.
18. **Gender Sensitive/Responsive** – Having an understanding of the marginalized position of Women and consciously challenging the attitudes and behavior that reinforce Women's subordinate status.
19. **Gender Sensitization** – Is an experimental and critical process of learning and unlearning of an Individual female or male of the causes and effects of the cultural determined roles of women and men.



20. **Gender Sensitivity Training** – Means providing people with formal learning experience in order to increase their awareness. The overall purpose of the training is to provide the knowledge and skills necessary to recognized and address gender issues in the Programming process.
21. **Indecent Shows –** Are shows which include nude or other provocative gestures which further Project and exhibit men and women as sex-objects.
22. **Indigenous People –** A group of people who have continuously lived as organized community Bounded and defined territory and who have under claims of ownership since time Immemorial occupied possessed and utilized such territories sharing common Bonds of language, customs, tradition and other distinctive cultural traits, they are Regarded as indigenous on account of their decent from populations. Colonization and who retain some or their own entire social economic, cultural Political institution and have been displaced from traditional domains or who may have remitted outside their ancestral domain.
23. **Minors –** Refers to persons below 17 years of age and unable to take care of themselves from abuse, neglect, cruelty, exploitation or discrimination.
24. **Land- based Projects –** Are projects designed systematically in order to provide women the opportunity to have full- access and control over the minimum utilization of land and other Indigenous resources.
25. **Mail Order Bride –** Is a practice where a women established personal relationships with a male Foreign national via mail or similar means upon recruitment by an agency operating for the purpose.
26. **Other Places of Amusement** – Include all other places of amusement not specifically enumerated or otherwise provided for this code, included but not limited to night clubs or day clubs, Cocktail lounges, super of family clubs, disco houses, minus-one or sing-along, bars or beer houses gardens, fast food center showing sports competitions ,replay videocassette films/movies and other places of amusement where one seeks admission to entertains oneself by seeing or viewing or by direct participation.
27. **Places of Amusement –** Includes theaters, cinemas, concert hall, circuses and other places of Amusement when one seeds admission to entertain oneself by seeing viewing the show or performances.
28. **Pornography Scenes, Picture, and Publication –** Written or graphic or other forms of communication intended to entertain lascivious feelings.
29. **Prostitution** – Is the sale purchase and exchange of women and minors for sexual exploitation for each project or other economic consideration by an individual including but not limited to pimp, procurer of the service parents, owners of establishments such as hotels and restaurants and any other person who uses various schemes to prostitute women and minors. It is the act as defined under the Revised Penal Code of the Philippines and shall be recognized as a violation of human rights and exploitation of women who have no real choices for survival.

30. **Reproductive Health** – Is a state of complete physical, mental and social well- being and not merely the absence of disease and infirmity, in all matters relating to the reproductive system and to its function and process. It constitutes 10 elements namely:

   a. Maternal and child health and nutrition
   b. Family Planning
   c. Prevention and treatment of Reproductive Tract Infection (RT) including STD, HIV and AIDS
   d. Prevention and Management of Abortion Complication
   e. Education and Counseling on Sexuality and Sexual Health
   f. Prevention and Treatment of Infertility and Sexual Disorder
   g. Men's Reproductive Health
   h. Violence against Women
   i. Adolescent Reproductive Health

ARTICLE II

GENDER AND DEVELOPMENT PROGRAM

SECTION 5. INTEGRATED GENDER AND DEVELOPMENT PROGRAM

The Local Government of Pinabacdao shall ensure the integration of Gender and Development (GAD) in the Local Planning and Budgeting system through the formulation of GAD plans as stipulated in DILG- DBM- NRFW joint Memorandum Circular No. 2001-01 "GUIDELINES FOR INTEGRATING GENDER AND DEVELOPMENT OF GAD PLANS".

The local Government of Pinabacdao shall ensure that the Philippine plan for gender and Responsive Development (PDGD) which was adopted through Executive Order 273 is implemented for women in relation to the services stipulated in Republic Act 7160 of the Local Government Code of 1991 Particularly Section 16 & 17 and other related provisions.

The LGU of Pinabacdao shall ensure that all Barangays under its jurisdiction shall prepare GAD Plan addressing gender issues of their locality following Section 16&17 of the Local Government Code on 1991 and other related provisions.

The LGU of Pinabacdao shall integrate gender concerns in the formulation of the Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP) and Annual Investment Plan (AIP).

The formulating of the GAD plan shall follow the regular planning and budget calendar and shall anchor on the existing CDP, CLUP, and AIP.

It is the responsibility of the Municipal Planning and Development Coordinator to ensure that GAD PPA's are integrated in the local planning process.

SECTION 6. SUPPORT TO GENDER STUDIES – a sufficient amount shall be allotted to gender related documents and researches, which shall form part of the LGU's data-based program.

SECTION 7. POPULARIZATION OF GENDER-FAIR MATERIALS-there shall be an active promotion and publication of gender fair materials in popular forms in the municipality.

SECTION 8. INTEGRATED GENDER SENSITIVE AN ENVIRONMENT – FRIENDLY ZONIFICATION PLAN – an integrated gender-sensitive and environment-friendly sonification plan for Pinabacdao shall be established taking into consideration among others the following:

a. Relocation of communities shall not deprive anyone of their sources of livelihood
b. Allocation sites shall not contribute to an increase in anyone's burden in economic, home social production
c. Housing and industrial project site shall be those unproductive land unsuitable for Agricultural purpose

SECTION 9. COMMUNITY-BASED ENVIRONMENT PLANS AND PROGRAMS- both men and women shall participate in pollution control, zero waste technology development and management, preservation of the forest, with due respect to indigenous people's right to self-determination.

SECTION 10. GENDER-SENSITIVE NATURAL RESOURCE-BASED MANAGEMENT PROGRAM- The local Government of Pinabacdao shall engage itself in gender-sensitive natural resource-based management program.

SECTION 11. ROLE OF WOMEN IN ENVIRONMENT IMPACT ASSESSMENT PROJECT- The municipal government shall promote the active role of women in environment impact assessment projects.

SECTION 12. PROMOTION OF ALTERNATIVE TECHNOLOGY- The municipal government shall actively promote alternative technology that is appropriate and safe for everybody's well-being.

SECTION 13. SUFFICIENT BUDGET FOR BASIC SOCIAL SERVICES- An amount necessary to underwrite basic social services for women and children in extremely difficult circumstances shall be allocated from any available source of funds.

SECTION 14. GENDER SENSITIVITY TRAINING FOR THE LUPONG TAGAPAMAYAPA - a special paralegal training for the Lupong Tagapamayapa shall be conducted along gender question and related matters.

SECTION 15. GENDER SENSITIVITY TRAINING FOR BARANGGAY TANODS- there shall be gender sensitivity.

SECTION 16. TRAINNG ON NON-TRADITIONAL OCCUPATION- women shall be given opportunity to acquire training on non-traditional occupations such as those related to science and technology.

ARTICLE III

HEALTH

SECTION 17. STATEMENT OF POLICY- No woman shall be basic and services such as those declared by World Health Organization as necessary to respond to basic health needs especially those that related to maternal health care on purely financial grounds or lack of access thereto.

SECTION 18. BUDGET FOR WOMEN'S HEALTH-a on substantial portion of the health budget of the municipal government shall be allocated for women's health and services.

SECTION 19. WOMEN'S RIGHT OVER THEIR BODIES- Women's decision to prevent and control pregnancy without necessarily to abortion shall be given appropriate support and guidance by all health, professionals, private and public at very minimal cost.

SECTION 20- ACCESS TO SAFE WATER IN THE MUNICIPALITY- the Municipal Government shall provide easy access to safe water supply. Appropriate water systems shall be installed to ease women's workload brought about by the lack of the facility.

SECTION 21. GENDER FAIR HEALTH CARE DELIVERY SERVICES- the Municipal Health Officer shall ensure that health care services are not discriminating on account of gender, age, religion or political affiliation.

SECTION 22. REPRODUCTION HEALTH SERVICES- No hospital or medical facility operating within the territorial jurisdiction of the local government shall deny reproductive health services to any woman by reason of the latter's poverty.

SECTION 23. INFORMATION EDUCATION ON WOMEN'S HEALTH- the Municipal Health Office in collaboration of the Local Health Board shall endeavor to improve the implementation of education/information campaign on women's health. In connection with this, the Municipal Government shall facilitate the celebration of the International Day of Action for the Women's Health every May 28 of each year where issues and concern relative to the protection of and promotion of women's health shall be examined, deliberated, projected and government action sought.

SECTION 24. PROTECTION AGAINST DRUG ABUSE- a special task force shall be created and sustained by the Municipality for the protection against drug abuse and proliferation of illicit drugs.

SECTION 25. CREATION AND THE ESTABLISHMENT OF INTER-LOCAL HEALTH ZONES (ILHzS) THROOUGHOUT THE MUNICIPALITY AND FOR OTHER PURPOSES. The Republic Act 7160, otherwise known as the 1991 Local Government Code mandated for the devolution of the delivery of the health services and the facilities as one of the basic functions and the responsibilities of all the local government units or LGUs at all levels.

Section 33 of RA 9160, further provides that LGUs may "group themselves. Consolidate their efforts and services and resources for purposes co to them where they may commonly beneficial to them where they may, upon approval of the Sangguniang concerned.

a. **Establishment of the Inter-Local Health Zones.** For the effective delivery of integrated health care and ensure smooth coordination between and among the cities, municipalities and barangays, and pursuant to Section 33 of R.A. 7160, there are, hereby established Inter-Local Health Zones throughout the country whose organization is to be assisted by the DOH and DILG. These Inter-Local Health Zones comprise a well-defined population (by level of governance) in rural or urban area, and all institutions and sectors whose activities contribute to improved health care delivery in that zone. The composition, functions and required resources of these ILHZs shall be approved by the NPHC upon endorsement of the City Mayor.
b. **Funding.** All Governors, City and Municipal Mayors, through their respective Sanggunians, shall provide specific budgetary appropriations under their approved local development plan for the proper implementation of their respective health plans.

ARTICLE IV

EDUCATION AND TRAINING

SECTION 26. STATEMENT OF POLICY- The municipal government shall endeavor to improve access of women to technology –based education and training program.

SECTION 27. WOMEN LITERACY AND ADULT EDUCATION- in cooperation with the department of Education, non-formal education classes for all shall be held in identified schools in the municipality to facilitate working person's access to education. Anyone desiring to engage in functional and practical education shall be enlisted in the adult education program which shall be set-up in the local government.

SECTION 28. GENDER-FAIR CURRICULA- the municipality shall ensure that the curricula in all schools at all levels in the LGU promote complementary roles between women and men provide gender-sensitive materials and gender sensitivity orientation to every class.

SECTION 29. SPECIAL EDUCATION FOR DIFFERENTLY-ABLED WOMEN- the municipal government shall have access to special education programs.

SECTION 30. SCHOLARSHIP PROGRAM- The municipality shall institutionalize its scholarship programs for poor but deserving students and shall not disqualify married women and mothers with infants.

ARTICLE V

LABOR, EMPLOYENT AND ECONOMIC OPPORTUNITIES

SECTION 31. STATEMENT OF POLICY- the municipality shall ensure that all departments and agencies shall engage in and expand their socio-economic programs to include women as beneficiaries and implement programs and projects designed to further capacitate women to empower them to designed medium and large-scale economic opportunities.

SECTION 32. EQUAL ACCESS TO EMPLOYMENT AND TRAINING PROGRAM- No one shall be denied of employment opportunity on account of gender, age, ethnicity, creed, religion and civil status, as prescribed in the Labor Code as amended by RA6725. Likewise, no one shall be denied of training and promotion in employment.

SECTION 33. WAGE AND BENEFITS- The municipal government shall ensure the safety and health of women in appropriate cases, employees may:

a. Establish separate toilets and lavatories for men and women and private at least a dressing room for women; and
b. Brest feeding, child rearing and easily childhood care for working parents while on their respective jobs.

SECTION 34. ORIENTATION ON SEXUAL HARRASMENT- All local offices, school agencies and establishment or companies, government and private, operating in the Municipality shall conduct o sponsor orientation on sexual harassment to their respective personnel.

SECTION 35. ORGANIZATIONAL AND FUNCTIONAL OF LOCAL COUNCIL FOR THE PROTECTION OF WOMEN AND CHILDREN- The municipality shall ensure the reactivation of the Barangay council for the protection of women and children.

SECTION 36. FARMLAND FOR WOMEN HEADED FAMILIES- Portion of agricultural lands the ownership of which is transferred to the Municipal Government by legal flat, shall be

distributed to landless and indigent families who are interested and committed to till the land, giving priority to woman-headed household.

SECTION 37. EMPLOYMENT OPPORTUNITIES TO DIFFERENTLY-ABLED WOMEN- The municipal government in partnership with appropriate national government agencies and private groups and other entities shall develop creative employment opportunities to differently-based women recognizing their differentiated conditions and potentials as human being.

SECTION 38. HEALTHY AND GENDER FAIR WORK ENVIRONMENT- The municipal shall ensure that the work place, private, or public, actualize the principle of equality between women and men in all aspects of their employment. For this purpose, employers are required to provide seats proper for women and permit them to use such seats, when they are free from each and during walking hours, provided workers with the necessary gear to guard against the detrimental effects of the nature of their function such as the special support stocking for female workers required to perform their function in standing position.

SECTION 39. MUNICIPAL BASED REGISTRATION OF HELPERS- The Municipality shall come up with an Annual Survey of domestic helpers in the barangay to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment. Employees must provide their house-helpers a recreational day-of at terms and condition mutually agreed by both parties.

ARTICLE VI

POLITICAL AND PUBLISH SPHERE OF WOMEN AND CHILDREN

SECTION 40. STATEMENT OF POLICY - The municipal shall ensure the fundamental equality before the law of men and women open as an arena for their active participatory role in the development process.

SECTION 41. DECLARATION OF MARCH 8 AS A WOMEN'S DAY - As declared by the United Nations, March 8 shall be observed as Women's Day through an issuance of an Executive Order by the Municipal Mayor. There shall be a Municipal level set of articles, for women to increase their level of awareness and critical consciousness on the issues affecting them.

SECTION 42. MUNICIPAL SELF ORGANIZATION OF WOMEN – The Municipal government through the Gender and Development inter-agency committee shall encourage and support the information of community-based organization and facilitate their accreditation with Sangguniang Bayan.

SECTION 43. NATIONAL CHILDRENS MONTH – Pursuant to Presidential Proclamation No. 267, dated September 30, 1993, the Municipality shall observe the month of October as National Children's Month and undertake projects in the observance thereafter.

SECTION 44. PARTICIPATION OF WOMEN IN LOCAL GOVERNANCE – To widen and enhance participation of women in local government decision-making and administration, the Municipal Government shall ensure the participation of women to the Sangguniang Bayan and all Local special Bodies in the Municipality. These women representatives shall be elected among the accredited women's organizations in the Municipality as a concrete manifestation of women place in local governance and in accordance to RA 7160.

SECTION 45. CREATION OF THE MUNICIPAL GENDER AND DEVELOPMENT INTER-AGENCY COMMITTEE (EXECUTIVE ORDER NO. 06 SERIES OF 2022) - The Municipal Gender and Development Inter-Agency Committee (GAD_IAC) shall serve as the Focal Point of GAD Programs.

45.1 The GAD-IAC shall be composed of the following:

Chairperson	-	Municipal Mayor
Co-Chairperson	-	SB Chairperson of the Committee on Women and Family
Members	-	Vice- Mayor
		Members of the Committee on Women and Family
		MSWSO Women and Children Protection Desk
		Municipal Agriculturist
		Municipal Agrarian Reform Officer
		DILG/MLGOO
		Municipal Information Officer
		Municipal Budget
		CENRO
		Liga ng Barangay (ABC) Federation President
		SK Federation President
		Human Resource Management Officer
		Department of Education District Supervisor

Municipal Planning and Development Coordinator

Women's Representative from NGO's, PO's

PNP

POPCOM

NGO- Religious Sector

RHU

Representative from Pinabacdao Lady Legislators League

Representative from Business Sector

Representative from Labor Sector

Representative from Pinabacdao Federation of Women's Association

45.2. The GAD- Inter Agency Committee shall be taken with the following:

a) Catalyze, coordinate, provide direction, monitor and serve as technical adviser on programs/projects on women/gender and development concerns within the Municipality;
b) Review the mandated tasks of the LGU as per RA 7192 and other Presidential directives on the course of action to be taken;
c) Conduct a Gender- Responsive planning Workshop;
d) Make a Comprehensive and integral Plan and Program for women in the Municipality and ensure the implementation thereof;
e) Establish a data unit;
f) Facilitate a Trainer's Training on GAD;
g) Ensure that GAD Activities of the LGU are replicated at the Barangay Level;
h) Assess the performance of the committee and learn from the experience of the other by attending Annual Focal Point assemblies; and
i) Establish linkage with the NCRFW

45.3. The Human Resource Management Officer of the LGU shall act as Focal Point Officer of the Municipality and shall have the following functions:

a) See it that Gender and Development concern especially for women and children are reflected in the Annual both short and long term and that implementation are made thereto;

b) Ensure that plans & programs of the GAD-IAC members are reflected in their performance evaluation reports, their targets and accomplishment;
c) Ensure that GAD plans & programs of other agencies operating within the Municipality are consolidated in the Annual Development Plan;
d) Prepare the Annual GAD reports to be submitted to the NEDA for monitoring & evaluation which importance could be the basis for other financial funding and support;
e) Ensure that observance of the month of March as "Women and Children's Month" be given importance and shall be celebrated to give important to motivate Women of their role in nation building.

45.4 The Secretarial of the GAD-IAC shall have the following functions:

a) Document matters taken up in the GAD-IAC during seminars, workshops and meetings;
b) Prepare and furnish the official minutes of meeting of the GAD-IAC signed by the Presiding Officer.

45.5 For the purpose of institutionalizing the Gender and Development Inter- Agency Committee an amount of **Php 7, 753,000.00.** Pesos shall be appropriated and taken from the 20% Development Fund of the Municipality.

a) All formulated plans & programs on Gender Development approved by the Local chief executive including women and children will be funded from the 20% Annual Development Fund Pursuant to Section 12 Rule V RA 7192;
b) In case where some critical activities cannot be funded from the regular budgets concerned government department/agencies shall be advised to source these from supplemental budgetary request and or seek financial assistance in both local and foreign.

SECTION 46. CREATION OF LOCAL COUNCILS OF WOMEN – The Local council of women shall be organized in the Municipality which shall be composed of accredited women's organizations existing in the municipality.

SECTION 47. ORGANIZATION OF DIFFERENTLY ABLED WOMEN – The Municipal Government in collaboration with the Municipal Social welfare and Development Officer shall encourage and support the organization of differently-abled women in the Municipality to give focus on and facilitate response to their special needs.

SECTION 48. ORGANIZATION OF ELDERLY WOMEN – The municipal government's office of the senior citizen's Affair shall encourage and support the organization of elderly women in collaboration with the municipal Senior Citizen's Federation to five special focuses on the facilitate response to their special needs.

SECTION 49. WOMEN'S SUMMIT- the Municipal Government through the Local Council of women shall hold and convene a Municipal Women's Summit at least once every year to renew women's development in all aspects of community life and make appropriate recommendations for action thereof.

SECTION 50. SUPPPORT PROGRAM TO SURVIVORS OF VIOLENCE – The LGU of Pinabacdao shall provide immediate support to survivors of violence. Support services shall consist of the following but not limited to legal, medical, psychological, shelter and other forms of support services. These services shall be provided by the Municipal Social and Development Office in coordination with the Gender and Development Office and other involved agencies in accordance with the provision of the implementing Rules and Regulations of this code.

SECTION 51. PSYCHOLOGICAL PROGRAM – Women and children who are survivors of all form's violence shall be registered in psychological programs which shall be carried out by the Municipal Social Welfare and Development Office, Municipal Gender and Development Office, Municipal Health Office and other related agencies as provided in implementing Rules and Regulations of the code.

SECTION 52. ROLE OF FEMALE POLICE OFFICER – Complaints of battering and other forms of abuse against women and children shall be handles by female officers in the local police who shall undergo special course on handling cases affecting abused women, and those character and credibility do not violate the acceptance ethical standards in handling such cases.

SECTION 53. CRISIS INTERVENTION CENTER – A crisis intervention center is hereby establishment to serve as a temporary shelter with appropriate support services for women and children in crisis under the management and supervision of the Municipal Social Welfare Development and Gender and Development office.

SECTION 54. SUPPORT SERVICES FOR WOMEN IN THE ENTERTAINMENT INDUSTRY – The municipal government shall provide socio-economic support services for women in the entertainment industry in its desire to concretely respond to their practical needs. The MSWDO and PESO Manager shall make available alternate sources of income and livelihood to women engaged in entertainment industry or places of amusement.

SECTION 55. CONTINUING EDUCATION AGAINST SEXUAL HARASSMENT – To faster a culture against harassment, all government of private agencies and offices within the jurisdiction of the municipality shall conduct a continuing education against sexual harassment. For this purpose, the municipal social council for women and the municipal labor management council shall work together to ensure that;

a) At least one (1) activity designed to equip workers and employees with the critical and practical knowledge on gender issues and concerns is conducted each year in these offices/establishment or workplaces.

b) The provision of RA 7877 other known as the Anti-sexual Harassment Law and other provision of the labor affecting women are faithfully implanted, especially the formulation of the necessary policies and procedures in resolving complaints for sexual harassment.
c) Tools for assessment and strategies against gender bias are designed and established.

SECTION 56. SUPPORT AND DEVELOPMENT OF DAY CARE CENTERS – The municipal government of Pinabacdao shall ensure those day care center set-ups in all barangay. Day Care Center existing in the barangay shall be responsive to the need of the community to provide childcare assistance to parents in order that they may be to engage in economically productive activities. For this purpose, day care centers give priority to children aged 3- years old.

SECTION 57. LEGAL EDUCATION AND COUNSELLING – The Municipal Legal Officer shall:

a) Undertake legal education and training for community leader, Barangay Officials
b) Undertake a special para-legal training on gender issued and related matters for member of the Lupong Tagapamayapa for all barangays in the Municipality in partnership with the Liga ng mga Barangay and other non-government organization.

SECTION 58. MEDICO LEGAL DESK FOR WOMEN – the municipal health officer shall create a medico legal desk for women to attend to women's special medical needs.

SECTION 59. SUPPORT FUND FOR THE SENIOR CITIZEN AFFAIRS – The municipal government shall allocate funds for livelihood assistance, routine physical check-up, social group work programs and other appropriate socio-economic activities for the senior citizens.

SECTION 60. SUPPORT TO PERSONS IN DETENTION – The right of al detainees shall be protected as follow:

a) Speedy trial of the cases shall be ensured by all concerned
b) An appropriate program shall be designed to respond to their specific needs and problems as detainees;
c) Separate structure, space for detention and rehabilitation for women and men shall be established.

CHAPTER II

MISCELLANEOUS AND PENAL PROVISION

ARTICLE I

PROTECTION AGAINST VIOLENCE AND DISCRIMINATION OR ABUSE

SECTION 61. SEXUAL ABUSE - sexual abuse shall include but is not limited to the following:

a) When a man inserts or attempts to insert this penis into a mouth or anus of a woman against her will or under any of the following situation, through force, threat or intimidation by means of abuse of authority or relationship when the offended party is depriving of reason or otherwise unconscious;
b) When an offended party is below 13 years old even though none of the above circumstance is present;
c) When a person inserts or attempt to insert of his or her body other than the sexual organ or introduces any object or instrument into the genital or anus of a woman against her will or under any of the situation stated in paragraph number 1 above;
d) When a person subject another to have sexual intercourse with an animal under any of the circumstance stated in then paragraph or through any abnormal, unusual or ignominious sexual Act.
e) Any intentional contact however slight of one's penis to the genital, mouth, breast or anus of a woman or intentional contact thereof, however slight, to any part of her other than sexual organ, or the use of any instrument or object which intentionally touches the genital, breast or anus of a woman.
f) Sexual abuse in intimate marital relations. Forced sexual act committee under intimate or, marital relation shall form part of sexual abuse such as those between man and woman, woman and woman, man and man relations married or unmarried, legally separated or separated in fact. Any person found guilty of the commission of this act shall suffer the penalty of imprisonment for a period of not exceeding 6 months and fine of 2,500 or both at the discretion of the court.

SECTION 62. PHYSICAL VIOLENCE – Any intentional act that causes physical harm or hurt to the victim.

SECTION 63. PSYCHOLOGICAL/EMOTIONAL VIOLENCE – Any intentional act that offered or cause harm or hurt in the feelings of the victim such as but not limited to the following;

a) Threats of suicide if the victim will not give in to the demands of the offender;

b) Threats of harm against the victim of her family;
c) Punching breaking o defacing or otherwise destroying the house or any part thereof or the personal belongings of the victim.
d) Threatening to kidnap the children or to take them to a foreign country;
e) Threatening to take the victim's children away;
f) Threatening deportation of the victim's children away;
g) Forcing the victim to do things he/she considers as dehumanizing or degrading;
h) Controlling the victim's lawful or usual activities;
i) Use of fault and insulting words, language, or statement against a woman;
j) Threats of abandonment and expression such as forcing the woman to leave conjugal dwelling
k) Shouting invectives against the victims and other forms of verbal abuse

SECTION 64. ECONOMIC VIOLENCE – This includes depriving the victim of economic resources of their generation and mobilization so as to create forced dependence and submissiveness to the offender.

SECTION 65. BATTERING - This refers to a series of sexual physical psychological/emotional or economic abuse constituting a repeated cyclic pattern as means of intimidation and imposition of the batterer's will and control over another.

SECTION 66. DOMESTIC VIOLENCE AND SEX TRAFFICKING – Any of the acts defined under section 60 to 65 above shall constitute domestic when the offender or perpetrator is a member of the family of the victim or offender party the four the civil degree of consanguinity or affinity, provided, however that in case the violence committed is between person living as husband and wife, parent or child or between person with common child/children whether living as together or not, the violence committed shall be deemed domestic violence regardless of legitimacy of the relationship between them.

1. Trafficking in Women. It is unlawful for any person, association cult, religion or similar activities to commit the following acts:
    a) Established or carry on a business for the purpose of exploiting women for purpose of sex, sex slavery, sex trade, sex tour and other immoral activities.
    b) Advertise, published, print or distribute or because the advertisement, publication, printing or distribution of any brochure, flyer or propaganda materials calculated to promote the above mentioned above prohibited acts.
    c) Solicit, enlist or attacked/ endorse any women to join any club, association or organization whose objection is too match women to marriage to foreigner either mail or to order basis or to personal introduction or cyberspace or any other forms which facilitate the commission of the following acts.
        1. To buy or sale a woman, or any of her body parts;
        2. To act as a procure of a sex worker;

3. To threaten of force a woman to become a mail order bride.

SECTION 67. SOLICITATION – It is unlawful of any persons to solicit a women's services for sexual purposes regardless of whether the solicitor profits or not such from acts. Penalty for the commission of these acts shall be dependent to the prevailing laws and regulations.

SECTION 68. OTHERS FORMS OF TRAFFICKING IN WOMEN – Any person or agency who encourages, influences recruit to work abroad or locally to a particular job on a promise of a fee instead, force to deceive and engage in prostitution domestic help or other odd jobs shall be penalized by an imprisonment of 4 months or a fine of Php2,500.00 or both, at the discretion of the court. Persons liable thereof, any also may be prosecuted and penalized in accordance with RA 6955, an act which outlaws the practice of matching Filipinos for marriage to foreign national on mail order basis.

SECTION 69. SEXUAL HARASSMENT – Other than the acts defined as consecutive of sexual harassment under RA 7877, the following shall constitute sexual harassment punishable under this ordinance, some of which are covered by the Revised Penal Code under Act of Lasciviousness.

a) Persistent telling of offensive jokes or other analogous statement despite having been previously requested to refrain from doing so;
b) Taunting a person with constant talk about sex innuendoes;
c) Displaying offensive or loud pictures and the publication of workplace;
d) Interrogation someone about their sexual activities or private life except on physical or examination purpose;
e) Making offensive hard or body gestures at someone;
f) Repeatedly asking for dates despite verbal rejection;
g) Staring or leering maliciously;
h) Touching, pinching or bruising up against someone's body unnecessarily or deliberately;
i) Kissing or embarrassing someone against her will; Requesting sexual favor in exchanging for a good grade obtaining good job promotion;
j) Cursing, whistling, or calling a woman in public with words having dirty connotation or implications which ridiculous, humiliates or embarrasses the woman, such as "puta", "peste"," punyeta", etc.
k) Any other unnecessary acts during physical examinations,

Commission of one of these acts shall be subjected to an imprisonment of one week or a fine of Php1,000.00 to Php2,000.00 or both at the discretion of the court as prescribed in RA 7879 otherwise known as Anti – Sexual Harassment Act.

SECTION 70. OTHER PROHIBITED ACTS – The following acts are hereby declared prohibited.

a) Pornographic Pictures, and Publication, Printing, Publication Display in any place openly accessible to children or distribution of visual materials women appears scantily clad or otherwise depicting women as sex objects;
b) Indecent Shows. Public staging of indecent shows offensive to the sensibilities of the public or tend to corrupt the morality of the youth.

SECTION 71. COMMODICATION OF WOMEN – Any activity or form of beauty contest which tends to commodity, abuse, humiliate or treat women or sex objects shall be strictly prohibited within the territorial jurisdiction of the Municipality. For this purpose, the staging of the beauty contests shall be permitted if it shows case not only the physical beauty of the persons but also her talents and abilities. For this purpose, the Municipal Council for the Protection of Women and Children are hereby mandated to jointly draw up and promulgate the guidelines that shall be adhered to in the conduct of staging or shows, on beauty contest involving women and children.

Organizer of beauty contest violating these provisions shall be subjected to a penalty such as following:

a. For business organizations – Cancellation of business permit or a fine of not less than Php1, 000.00 but not more than Php2, 500.00 or as prescribed in the implementing rules and Regulations.
b. For representatives of agencies, department or local government units – suspension for one month without pay or a fine of not less than Php1,000.00 but not more than Php2,000.00 or other as maybe prescribed in implementing rules and
c. Foe educational institutions, charity or welfare organizations – fine as maybe prescribed in the implementing rules and Regulations.

SECTION 72. FORCE MARRIAGE – No woman shall be forced to marry without the consent. Any person committing fraudulent or coercive acts to affect a forced marriage shall be held liable under this code by imprisonment of six months and fine of Php1,000.00 or both at the discretion of the court. However, the customs and traditions of the indigenous people shall be taken into consideration and duly respected.

SECTION 73. HUSBAND AND WIFE BATTERING – Husband and wife battering shall be punishable from imprisonment not exceeding six (6) months and a fine Php1,000.00 to Php2,000.00 or both subject to the discretion of the court. Other forms of battering as defined in this code shall be respected.

SECTION 74. FUND RAISING INITIATIVES – Fund raising initiatives refers to any activities whether in whole or in part, integrated in any raffle draw, benefit or disco or any

similar fund-raising undertaking where women are used as donor prize, substitute for a cash prize won, a companion package for an award, prize or recognition or any manner, activity come- on display or exhibit which depicts a woman as central, partial or special focus in order to raise funds. Violations of this provision as defined in this code shall cover the same penalty prescribed in Section (70-72) or subject to the discretion of the court.

ARTICLE II

LABOR AND EMPLOYMENT

SECTION 75. EQUAL ACCESS TO JOB TRAINING AND PROMOTION – No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, cruel status. Violation by private employers shall constitute a fine Php2,500.00 and cancellation of business permit or a prescribed by the court. A government unit or agency head of office that violates this provision shall be held liable through a penalty of one-month suspension or a fine of Php1,000.00 or as prescribed by the prevailing rules and regulations.

SECTION 76. WAGE BENEFITS FOR WOMEN – Employers shall comply with the minimum wages requirement as stipulated by the Regional Wage Board or passes by the Congress and shall grant all the benefits to all women employees as maternity leaves, retirement, termination and other benefits provided by law. Violation of this provision by private employers shall constitute a fine Php2, 500.00 and cancellation of business permit or as prescribed by the court. A government unit or agency head of office that this provision shall be held liable through a penalty of one-month suspension and a fine of Php1, 000.00 or as prescribed by the Court.

SECTION 77. FACILITIES AND SUPPORT SYSTEM FOR WOMEN – The Municipal Government of Pinabacdao shall ensure the safety and health of women employees in appropriate cases as defined in this code. Violation by private employers shall constitute a fine of Php2, 500.00 and a cancellation of business permits as prescribed by the court. A government unit or head of office that violates this provision shall be held liable through a penalty of one-month suspension and a fine of Php1, 000.00.

SECTION 78. ORIENTATION ON LOCAL HARASSMENT – All local offices agencies and establishment or company's government and private, within the municipality shall conduct orientation on sexual harassment. Failure to comply with this provision shall constitute a fine of Php2, 500.00 and suspension of business permit or license for three months.

SECTION 79. GENDER – SENSITIVE PHYSICAL PLAN – A physical plan appropriate for gender sensitivity shall be adopted by all offices, agencies and establishment which shall help prevent harassment in the workplace. Failure to comply with this provision shall constitute a fine of Php2, 500.00 and suspension of business permit or license for three months.

ARTICLE III

WOMEN IN THE ENTERTAINMENT INDUSTRY

SECTION 80. WORKERS IN ENTERTAINMENT INDUSTRY – Women in the entertainment industry shall be recognized as wage earners, and they shall receive minimum wages and benefits afforded to workers and shall render services only in the place of work as specified in the business permit or both at the discretion of the court.

ARTICLE IV

HEALTH RIGHT

SECTION 81. SOCIALIZED REPRODUCTIVE HEALTH SERVICES FOR ALL HOSPITALS – No hospitals in the LGU Pinabacdao shall deny a woman, living below the poverty line of reproductive health services. Certificates in indigence shall be issued by the Punong Barangay. In case of emergency, a social worker or any authorized personnel shall be designated to conduct a rapid appraisal of the social – economic be penalized by a fine not more than Php2, 500.00.

ARTICLE V

SOCIAL ECONOMIC BENEFIT FOR WOMEN

SECTION 82. BANKS, FINANCIAL INSTITUTION AND COOPERATIVE SUPPORT SYSTEM – All banks, financial institutions and cooperatives are encouraged to open social windows for lending to women including young women who lack to traditional sources of collateral. This ensures and protects the economic rights of women.

ARTICLE VI

SECTION 83. LOCAL SANCTION ON CASES OF HARASSMENT COMMITTED AGAINST DIFFERENTLY – ABLED – The Municipal government shall formulate sanction on cases of harassment committed against differently abled persons.

ARTICLE VII

WOMEN AND CHILDREN

SECTION 84. SUPPORT TO WOMEN AND CHILDREN – All government or settlements envisioned at the barangay level relative to the support of children shall be final and executor. Violation of such agreements or settlements shall be subjected to a fine of Php2, 000.00.

ARTICLE VIII

PROMOTION OF ENVIRONMENT FRIENDLY TECHNOLOGIES

SECTION 85. No government agency shall act as an agent of agricultural chemicals. Chemicals allowed are only those duly authorized by Herbicides and Pesticides Authority. And of agencies found violating this provision.

ARTICLE IX

SECTION 86. GENDER AND DEVELOPMENT ORIENTATION TRAINING – All school, office establishment or company's department and agencies including Municipal and Barangay Official shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise, schools, colleges and universities shall develop assessment tools for gender- bias. Non- compliance of this provision shall require the concerned party a fine of Php2, 000.00 and issuance of warning by the Municipal Government through the Gender and Development Council.

CHAPTER III

PROVISIONS FOR IMPLEMENTATION

SECTION 87. THE GENDER AND DEVELOPMENT INTER-AGENCY COMMITTEE or FOCAL POINT SYSTEM (FPS)- All GAD-IAC or FPS is duly created by virtue of Executive Order No. 06 Series of 2022" An Executive Order Organizing the Gender and Development (GAD) Focal Point System of the Municipality of Pinabacdao.

SECTION 88. CREATION OF GENDER AND DEVELOPMENT DESK – The GAD Desk shall be created by virtue of this ordinance which shall be under the Special Project Division of the Municipal Planning and Development Office. The GAD Desk shall be responsible for the implementation of this ordinance is close coordination with the Gender and Development Inter-agency Committee, a consultative assembly on the Municipal GAD Program.

GAD Desk Coordination

GAD Monitoring Officer

Clerk

SECTION 89. FUNCTION OF GAD DESK – The GAD Desk shall act as the lead convener and Secretariat to the GAD- IAC. For this purpose, it shall;

a. Coordinate with different NGAS, PGAS, LGUs and private sector;
b. Provide administrative and technical assistance to the GAD-IAC;
c. Mobilize various sectors for gender programs and projects;
d. Design capability building programs in relation to GAD;
e. Conduct advocacy program and trainings in relation GAD;
f. Provide assistance to women and children in especially difficult circumstance;
g. Evaluate and monitor the GAD program of the Municipality,

SECTION 90. RULES AND REGULATION – The GAD-IAC shall promulgate the rules and regulations to carry out the provision of this ordinance. It shall be convened periodically throughout the formulation of the implementing Rues and Regulation (IRR). Official representatives of the various agencies of the process of drafting of this Code shall be involved in the formulation of the IRR.

A technical Working Committee shall be formed for effective and efficient formulation of the implementing Rules and Regulations. Such rules and regulations shall take effect upon their publication in two local newspapers of general circulation.

CHAPTER IV

FINAL PROVISIONS

SECTION 91. REPEALING CLAUSE – All ordinances, resolutions, circulars, memoranda, or rules and regulations inconsistent with the provisions of this Code are hereby repealed and modified accordingly.

SECTION 92. SEPARABILITY CLAUSE – If for any reasons, any portion or provision of this Code is declared unconstitutional or invalid, the other sections provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 93. SUPLEMENTARY CLAUSE – On matters not provided for this code, any existing applicable laws and their corresponding implementing Rules, Executive Orders and relevant issuances issued thereof shall apply in a supplemental manner.

SECTION 94. EFFECTIVITY CLAUSE – This Code shall take effect upon compliance of the mandatory Government Code of 1991.

ENACTED: March 21, 2022

I hereby certify to the correctness of the foregoing **Municipal Ordinance No.22-002** series of 2022 otherwise known as the Gender and Development Code of the Municipal of Pinabacdao which was duly enacted by the Sangguniang Bayan during its Regular Session held at the Sangguniang Session Hall, Pinabacdao, Samar.

HON. ROSEMARIE T. BADENAS
Vice-Mayor / Presiding Officer

HON. ELISEO B. CABORNAY JR.
SB Member

HON. MARIBEL P. GERMANO
SB Member

HON. JOSE SANTIAGO T. QUIJANO
SB Member

HON. DODY B. CABORNAY
SB Member

HON. ROBERTO M. BALUNDO
SB Member

HON. CLEMENTE O. SEVILLANA
SB Member

HON. JOSE O. REFUERZO
ABC Pres./SB Member

HON. ALLEAH JOY L. SACAGUING
SK Fed. Pres. /SB Member

I HEREBY CERTIFY as to the correctness of the above-quoted Ordinance.

MARY BERNADETTE T. QUIJANO, LPT
Secretary to the Sangguniang Bayan

APPROVED:

HON. TEODORICO A. MABAG
Municipal Mayor 3/21/22