



Republic of the Philippines  
PROVINCE OF SORSOGON  
MUNICIPALITY OF GUBAT

## Office of the Sangguniang Bayan

EXCERPTS FROM THE MINUTES OF THE 18<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUBAT, SORSOGON, HELD ON MONDAY, MAY 22, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL.

### PRESENT:

Hon. Sixto F. Estareja	- Municipal Vice Mayor, P.O.
Hon. John Paul E. Erlano	- Member, Sanggunian Bayan
Hon. Cesar D. Esperida, Jr.	- Member, Sanggunian Bayan
Hon. Danilo E. Enaje	- Member, Sanggunian Bayan
Hon. Anthony C. Callos	- Member, Sanggunian Bayan
Hon. Kenneth D. Escandor	- Member, Sanggunian Bayan
Hon. Ramon E. Entico	- Member, Sanggunian Bayan
Hon. Aiza E. Encinares	- Member, Sanggunian Bayan
Hon. Nelson E. Quiñones	- Liga ng mga Barangay President

### ON LEAVE:

Hon. Valentin A. Pura IV	- Member, Sanggunian Bayan
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### MUNICIPAL ORDINANCE NO. 2017- 004

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Hon. Anthony C. Callos, Hon. Aiza E. Encinares, Hon. Nelson E. Quinones*

AN ORDINANCE ENACTING THE GENDER ADVOCACY AND DEVELOPMENT CODE (GAD) OF THE MUNICIPALITY OF GUBAT, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION:

#### CHAPTER I GENERAL PROVISIONS

#### ARTICLE I TITLE

TITLE, STATEMENT OF POLICY, DEFINITION OF TERMS AND GAD LEGAL BASES AND MANDATE

**Section 1. Title.** This ordinance shall be known and cited as the "Gender Advocacy and Development Code of the Municipality of Gubat and shall hereinafter be referred to as the Code.

**Section 2. Statement of Policy.**

It shall be the policy of the Local Government Unit of Gubat to uphold the rights of women and the belief in their worth and dignity as human beings. Women shall be recognized as full and equal partners of men in development and nation building and men shall share equally with all forms of productive and reproductive activities.

The Local Government of Unit of Gubat shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. And that any development efforts it undertakes should enhance women's full potentials, uplift their status and lead to the improvement of their quality of lives, their families and that of their communities.

Towards this end, the Local Government of Unit of Gubat shall pursue and implement vigorously gender responsive development support systems, taking into consideration women's immediate economic survival with support for their efforts of empowerment and self-determination, and to adopt and implement measures to protect and promote their rights.

The Municipality of Gubat in order to achieve the foregoing policy shall:

1. Mainstream gender concerns in sectoral development plan, policies and programs;
2. Allocate, utilize and monitor the use of the GAD budget;
3. Strengthen governmental and non-governmental partnership to maximize the effectiveness of programs and services addressing gender and development concerns;
4. Institute affirmative actions for women in various areas of concerns and enhance women's participation in local development and in decision-making;
5. Provide gender-responsive relief and rehabilitation programs with special focus on the needs of women, senior citizens, children and differently-abled persons;
6. Involvement in family planning programs, health, and childcare and nutrition concerns and engage them in projects that enhance the well-being of the family;
7. Review and revise all regulations and procedures to remove gender bias therein.

**Section 3. The UN Definition and Declaration of Women's Rights.** Women rights are the rights of women that are defined and declared by the United Nations under the Convention on the Elimination of Discrimination Against Women (CEDAW), and are hereby adopted as follows:


- 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 fully participate individually or collectively in the political processes of their communities and nations.

- 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 in accordance to the Constitution and their beliefs and preferences.
- e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for caring and rearing of their children.
- f. Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood.
- g. Women have the right to adequate nutrition and proper health care.
- h. Women have the right to humane living condition.
- i. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.
- j. Women have the right to equality before the law in principle as well as in practice.

**SECTION 4. Definition of Terms.** The following terms or phrases used in this Code shall mean as follows:

- a. **Code** - refers to the GAD Code.
- b. **Commodification of Women** - is a practice which puts women in subordinate situation which results in the treatment of women as both consumers and objects. 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 of money or goods so that women have no control or power to reject such utilization or manipulation.
- c. **Development** - is the improvement of the quality of life of all regardless of age, sex, tribe, race, creed and religion. It is characterized by an enrichment of Filipino indigenous resources, sustainable utilization of the natural resources of the country and freedom from dependency. It is therefore, a sustained equitable growth and balanced ecology.
- d. **Differently-Abled Women** - are women survivors of physical impairments and have differentiated needs and potentials.
- e. **Discrimination Against Women** - any distinction, exclusion or restriction made on the basis of sex which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights irrespective of their marital status.
- f. **Domestic Violence against Women and Children** - is a violence against women and children which includes but not limited to physical, sexual and psychological violence occurring in the family and other relationships, including battering, sexual abuse of wife and children in the household, dowry-related violence, marital rape, genital mutilation and other practices harmful to women, children, non-spousal violence and violence related to exploitation and as defined and provided for under Republic Act 9262.

- g. **Home-Based Program** – refer to programs which utilize parents as the primary service providers for ECCD such as the neighborhood-based play groups, family child care programs and home visiting programs.
- h. **Gender** – is a society constructed difference of men and women. Differences are created artificially, partly through socialization and partly through positive and negative discrimination in the various institution and structures of society.
- i. **Gender Advocacy and Development (GAD)** - shall refer to the development perspective which recognizes the equal contribution of women and men in all aspects/sectors of development. Such a perspective involves the process of searching for new innovative initiatives which transform unequal gender relations into opportunities which are equally/equitably beneficial to both men and women.
- j. **Gender Sensitization** – is an experiential and critical process of learning and unlearning by an individual, female or male, of the causes and effects of the culturally determined roles of women and men.
- k. **Girl-Child** – female child who is below eighteen (18) years old or a woman who is above eighteen (18) years old but is afflicted with mental retardation or insanity.
- l. **Mail Order Bride** – it is a practice by any person, natural or juridical, or any association, club or entity, of matching Filipino women for marriage to foreign nationals via mail-order basis or thru personal introduction, including the advertisement, publication, printing or distribution of brochures and other propaganda materials in furtherance of these unlawful acts, as defined under RA 6955. For purposes of this GAD Code, the use of the internet is included.
- m. **Land-based Project** – are activities designed systematically in order to provide women the opportunity to have full access and control over the maximum utilization of land and other indigenous resources.
- n. **Live shows** – include dancing naked or doing sexually titillating or indecent acts in public or private places for commercial or entertainment purposes.
- o. **Marginalization** – a condition where a whole category of people is expelled from useful participation in political, economic, social and cultural life and is potentially subjected to severe material deprivation and even extermination.
- p. **Mainstreaming** – The Philippine government's strategy for making agencies and local government units work for women's empowerment and gender equality. It is the process of analyzing existing development paradigms, practices and goals; assessing the implications for women and men of existing and planned actions in legislation, policies, programs, projects and institutional mechanisms, and transforming existing social and gender relations by consciously integrating gender concerns in development goals, structures, systems, processes, policies, programs and projects.
- q. **Other Places of Amusement** – include all other places of amusement not specifically enumerated or otherwise provided for in this Ordinance including but not limited to nightclubs or day clubs, cocktail lounge, super family clubs,



disco houses, minus-one or sing-along houses, bars or beerhouses/gardens, fast food centers showing sports, competitions or replay shows by direct hook up via satellite or those showing video cassette films/movies, beach resorts and other places of amusement where one seeks admission to entertain himself by seeing or viewing or by direct participation.

- r. **Pedophile** - adult with sexual desire for children or who has committed the crime of sex with a child.
- s. **Pornography** - Written, printed, graphic or other forms of audio and visual communications or publication intended to excite lascivious feelings.
- t. **Prostitution** - is the sale, purchase and exchange of women and minors for sexual exploitation, cash, profit or other economic considerations by an individual, including but not limited to pimp, procurer of the service, parents, owners of establishments such as disco houses, bars, sauna bath, massage clinics, hotels and restaurants and any other persons who use various schemes to prostitute women and minors as defined and provided for under Republic Act 7610, Republic Act 9208 and the Revised Penal Code.
- u. **Psychosocial Program** - is an intervention using a system approach to conditions of women as it views women's differentiated needs in a social context.
- v. **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.
- w. **Sexual Harassment** - is a form of misconduct involving an act or a series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature, made impliedly, directly or indirectly as defined and provided for under Republic Act 7877.
- x. **Survivor's Support Group** - is an organized group to whom a survivor of violence voluntarily agrees to establish a professional helping process.
- y. **Reproductive Health Care Delivery.** Reproductive Health, as defined in the International Conference on Population and Development and World Health Organization, and affirmed in Beijing Conference, is a state of complete physical, mental and social well-being and not merely an absence of disease and infirmity in all matters relating to the reproductive systems and to its functions and processes, i.e. people are able have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide, when and how to do so. To this end, the Municipal Government shall create programs and provide budget to achieve delivery of reproductive health care.
- z. **Gender Mainstreaming.** All social institutions such as school, offices, establishments or companies, departments and agencies of the local Government of Gubat shall be provided with gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issue concerns. Likewise all establishments, school, colleges and universities shall develop assessment tools for gender biases.

**Section 5. GAD Legal Bases, Mandate.** The enactment of GAD Code is in consonance with the existing national laws and policies and international commitments that encourage the Local Government Units to be in the fore front in addressing the issues on gender and development as hereinafter identified.

### **5.1) National Law**

**5.1.1)** Article II, Sec. 14 of the 1987 Constitution, which provides that "The State recognizes the role of women in the nation-building, and shall ensure the fundamental equality before the law of women and men."

**5.1.2)** Women in Development and Nation Building Act (RA 7192)

**5.1.3)** Anti-Violence against Women and their Children Act (RA 9262)

**5.1.4)** Anti-Trafficking in Person Act (RA 9208)

**5.1.5)** Solo Parent's Welfare Act (RA 8972)

**5.1.6)** Special Protection of Children Against Abuse, Exploitation and Discrimination Act (7610)

**5.1.7)** Anti-Sexual Harassment Act (RA 7877)

**5.1.8)** Rape Victim Assistance and Protection Act (RA 8505)

**5.1.9)** An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises and other (Republic Act No. 7882)

**5.1.10)** Migrant Workers and Overseas Filipinos Act of 1999 (Republic Act No. 8042)

**5.1.11)** An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment. (Republic Act No. 6725)

**5.1.12)** Mail Order Bride (Republic Act No. 6955)

**5.1.13)** Women in Development and Nation-Building (Republic Act No. 7192)

**5.1.14)** Magna Carta for Women (RA 9710)

### **5.2) Other Legal Bases and Mandate**

**5.2.1)** GAD Budget policies such as General Appropriations Act and DBM-NCRFW Joint Memorandum Circular No. 21-1

**5.2.2)** Joint MC 2013-01, PCW, NEDA, DBM and DILG

**5.2.3)** Municipality of Gubat Children's Welfare Code

### **5.3.) State Obligations and Commitment such as:**

**5.3.1)** Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

**5.3.2)** Millennium Development Goals (MDGs).

## **CHAPTER II WOMEN'S RIGHTS**

### **Article I Health Rights**

The Municipal Government, in close coordination with and thru the Municipal Health Office and institutions, medical society, and other health service providers, shall provide:

## Section 6. Health Rights

- a. *Access to Information and Services Relating to Women's Health.* A comprehensive gender program to ensure access to the following:
- 1.) Maternal care services
  - 2.) Nutrition package
  - 3.) Reproductive health services
  - 4.) Adolescent and youth health services
  - 5.) Women and children protection services
  - 6.) Screening an appropriate management of reproductive tract infections including sexually transmitted infections/human immunodeficiency virus and acquired immune deficiency syndrome, breast and reproductive tract cancers and other gynecological conditions
  - 7.) Prevention and management of abortion and its implications
  - 8.) Healthy lifestyle activities
  - 9.) Care for the elderly
  - 10.) Health services for women with disabilities
  - 11.) Menopausal services (including peri/post)
  - 12.) Violence Against Women (VAW) services
  - 13.) Unusual circumstances (prison, war, etc)
- b. *Comprehensive Health Information and Education.* A complete and accurate information and education campaign on all the above stated aspects of women's health, in government education and training programs.

Education programs on reproductive health shall always include the following:

- 1) The important role of parents in the total formation of their children
- 2) The formation of a persons' sexuality that affirms human dignity
- 3) Natural and artificial family planning methods including fertility awareness

**Section 7. Budget for Women's Health.** A reasonable portion of the GAD budget and other health related budget of the Municipal Government shall be allocated for women's health and services. It shall be included in the Annual Budget of the Municipality, upon the recommendation of the GAD Focal Point System Executive Committee.

**Section 8. Food and Nutrition Security.** The Municipal Government shall ensure that integrated interventions ensuring food and nutrition security of households are planned and implemented. It may be through the Municipal Health Office and/or a separate Food and Nutrition Program planned and implemented through the Municipal Nutrition Committee with a corresponding budget provided.

**Section 9. Early Childhood Care and Development.** The Local Government Unit of Gubat shall initiate for the care of 0-4 years old children through the Early Childhood Care and Development program to be implement in every barangay through the Child Development Center managed by Child Development Workers.

- a. **Home-Based Program** - A program will provide alternative home care to children 0-2 years old, including facilities for and the support of breast feeding activities.

- b. **Child Development Center** - A comprehensive health nutrition with early educational support to children 0-4 years old. As provided for in Republic Act 10410 directing National Government Agencies and Government Owned and Controlled Corporations to provide early childhood care and development program.

**Section 10. Gender and Population.** The Municipal Health Office shall review and redesign the population program that it becomes reproductive health conscious.

**Section 11. Free Vaccines for Pregnant Women and Pre- and Post- Natal Examinations.**

**Section 12. Gender-Sensitive/Fair Approach to Pre-marital Counseling.** The Municipal Government shall review and redesign a Pre-Marital Counseling Program. It shall be jointly undertaken by the Municipal Gender Advocacy and Development Office and other concerned agencies. Agencies involved shall adhere to the principles of gender-fair pre-marital counseling service.

**Section 13. Disadvantaged Women's Access to Social Security.** The Municipal Government shall tap programs and services of the PhilHealth Insurance Program and Social Security System especially for the indigent women and families and provide necessary counterpart.

## **Article II Education Rights**

The Municipal Government, in close coordination with the DepEd, all public and private schools, the TESDA and non-formal training institutions shall afford:

**Section 14. Education Rights.** Equal access and elimination of discrimination in education, scholarships and trainings.

- a. The Municipal Government shall act on the removal of gender stereotypes and images in educational materials and curricula. Gender sensitive language shall be used at all times.
- b. Enrolment of women and men in non-traditional skills training in vocational and tertiary levels shall be encouraged.
- c. Provide opportunities to women solo parents to avail of free education and skills trainings as provided for under Republic Act 8972.
- d. Expulsion from school of female students for pre-marital pregnancy is prohibited. Schools shall provide counseling to female students who are confronted with unwanted pre-marital pregnancy and accordingly refer them to appropriate institutions for care and support.

**Section 15. Adult Education.** All women desiring to engage in men-dominated functional and practical education shall be established in adult education program, which shall be set up in this municipality.



**Section 16. Special Classes for Women.** Special classes for women shall be held during weekends in all barangay high schools in the Municipality of Gubat to facilitate working women's access to education.

**Section 17. Right to information.** Access to information regarding policies on women including programs, projects and budget shall be ensured.

**Section 18. Monitoring and Reporting of Stereotyped Portrayal of Roles of Women and Men in Education Materials.** The GAD Office shall coordinate closely with the DepEd Division Offices, private and public colleges and universities, CHED and TESDA in monitoring and reporting of stereotyped portrayals of roles of women and men as projected in educational materials.

### **Article III Political Rights**

The Municipal Government, together with the DILG and barangay local government units, shall implement the following:

**Section 19. Lupon Tagapamayapa.** All barangays shall ensure the membership of women in the Lupon Tagapamayapa but in no case shall such representation of women in the lupon be less than Thirty Per Cent (30%) of the total members.

**Section 20. Barangay Tanod and Other Peacekeeping Responsibilities.** All barangays shall strive to come up with a barangay tanod/peacekeeping team with the inclusion of female volunteers as members but in no case such representation of women in the tanod shall be lesser than Thirty Per Cent (30%) of the total members.

**Section 21. Representation in Local Special Bodies and Local Councils.** A representative from the Local GAD Council shall be appointed to sit as a member in all local councils and special bodies such as but not limited to Local Development Council, Local School Board, Local Health Board, People's Law Enforcement Board, Peace and Order Council, Peace Panels and others. For this purpose, all barangay captains are hereby directed to include representatives from GAD councils in different local councils as its member.

**Section 22. Sectoral Representation.** Pursuant to RA 7160 otherwise known as Local Government Code of 1991, a representative from any women organization or of any GAD Council shall sit as ex-officio Sangguniang Member as Sectoral Representative.

**Section 23. Institutionalizing GAD in Cooperative Formation.** The Municipality of Gubat encourages the involvement and membership of women in the formation of cooperatives. To this end, women- membership shall be sought by the municipal government in the course of accreditation and in the selection of representation in local special bodies and local councils.

**Section 24. LGU-Sponsored Competitions/Evaluations.** All competitions/evaluations such as but not limited to clean and green contests, nutrition, health or education contests or evaluations and others shall include GAD aspects as one of the criteria in the selection of winners. Corollarilly, GAD council members shall be involved in the selection/evaluation process and hence, membership of women in the evaluation and screening team will be ensured.

**Section 25. Marriage License Requisites.** The Municipality shall implement gender and development, counseling and encourage PhilHealth enrollment as pre-requisites prior to granting of marriage licenses to applicants.

**Section 26. Incentives.** Members of GAD councils and/or women's organizations shall be highly considered in awarding of some government programs and projects. Hence, said organizations and members can enjoy the following:

- a. Access to Livelihood Opportunities
- b. Opportunities for Capacity Building
- c. Access to Scholarship Programs

**Section 27. Observance of Women's Special Days.** The following dates shall be observed by the women in the municipality.

- a. For purposes of celebrating women's day, March of every year is hereby declared a Women's Day
- b. December as World's AIDS Day
- c. Declare June 8 as Gubat Women Rights Day

**Section 28. Women's Summit and GAD Conference.** There shall be conducted a women's summit and GAD conference at least once a year. Date of said activity shall be determined by the GAD council

#### **Article IV Economic Rights, Support System and Services**

**Section 29. Declaration of Policy.** It shall be the policy of the Municipal Government of Gubat to ensure the same rights for women and men in employment, access to economic resources, economic enterprise, savings mechanisms as well as credit mechanisms.

Rural and urban women shall have equal access to agricultural credit and loans, marketing facilities and appropriate technology and shall be given assistance to engage in micro and cottage business enterprise as provided for under RA 7882. Moreover, rural women shall have equal access and equal treatment in land and agrarian reform, as well as to the benefits derived from it. Finally, it is hereby mandated that women and men must have equal representation in regard to economic policy and decision making in all levels of government. It shall also ensure equal rights and responsibilities, for women and men, relating to participative involvement in the conceptualization, planning, implementation, monitoring and evaluation of development programs and projects from the barangay level to municipal level.

**Section 30. Equal Access to Financial Assistance.** The municipality, departments and agencies engaged in socio-economic programs shall provide equal access to financial assistance and/or subsidy to women in agriculture, fishery, small and medium scale enterprises (SME), workers in formal as well as in informal economy sectors and *economically displaced women* (women previously involved in illegal gambling) using community bank approach. In this connection women-friendly savings and lending mechanisms shall be established in all levels.

**Section 312. Banks, Financial Institutions and Cooperatives Support System.** All banks, financial institutions and cooperatives are encouraged to open special window for lending to women including young women who lack access to traditional sources of

collateral. All lending and financial institutions shall be requested to establish a coordinating mechanism to ensure that the program is properly implemented.

**Section 32. Trainings, Research, Product Development and Marketing Assistance.** The municipality shall provide traditional and non-traditional skills training, research, and product development and marketing assistance in close coordination with DOST, TESDA, DTI, DSWD, DOLE and other line agencies. The Municipality in partnership with its capable barangays shall establish a livelihood/training center or strengthen existing training centers for this purpose.

**Section 33. Establishment of Livelihood and Training Centers, and Capability Building Program.** The Municipal Government through the GAD Council shall allocate not less than thirty percent (30%) of the annual GAD fund and proceeds from any other GAD foreign funding for the establishment of livelihood and training centers as well as implementation of capability building programs, projects and activities.

**Section 34. Setting up of Appropriate Desks under the GAD Center.** The Municipal Government through the GAD Center shall set up but not limited to job monitoring desk, economic desk and social services desk to undertake stated functions.

**Section 35. Setting up of Lending Mechanisms.** The GAD Center through the Economic Desk and the LGUs shall initiate formulation of policies and guidelines to coordinate lending activities by financial institutions and other lending programs by both public and private sectors.

**Section 36. Right to Housing.** In line with Municipal Government shall consult women and involve them in community planning and development, especially, in matters pertaining to land use, zoning and relocation. The Municipal Government will develop housing programs that are localized, simple, accessible, and secure, with viable employment opportunities and affordable amortization.

#### Article V

#### Labor and Employment Rights

**Section 37. Equal Access to Employment, Training and Promotion.** No one shall be denied of employment, training and promotions opportunity on account of gender, age, ethnicity, creed, religion and civil status, as prescribed in the Labor Code, as amended by RA 6725.

**Section 38. Wages and Benefits.** Every employer whether government or private, shall comply with the minimum wage as prescribed by the Regional Wage Board and shall fully grant all benefits to all employees such as maternity, paternity and vacation leaves, retirement, termination and other benefits as may be provided by law.

**Section 39. Monitoring System for Labor Standards.** A mechanism shall be installed in the MGAD office to monitor all government and private local offices, schools, agencies, establishments or companies in the municipality violating the Labor Code, the provisions of this Code and other pertinent laws, rules and regulations.

**Section 40. Employment Assistance Program.** The municipality of Gubat in cooperation with the Department of Labor and Employment shall establish a mechanism in order to assist qualified students, unemployed and underemployed women and men in securing legitimate and gainful employment, local or overseas:

**Section 41. Municipal-Based Registration of House Helpers.** The LGU Gubat through the Municipal Social Welfare Office shall establish an annual registration of domestic helpers in respective barangays to monitor wage and working condition as well as cases of sexual harassment, sexual abuse, trafficking and other forms of maltreatment. Household shall be required to enlist their house helpers in MSWD Office for identification, monitoring, documentation and for other purposes. Employers must be provide their house helpers recreation day-off and times and conditions mutually agreed by both parties.

**Section 42. Support on Women OFWs.** Any recruitment agency, whether local or national shall be required to submit pertinent papers relative to its operation to the LGU, copy furnished the MGAD Office, the Municipal Mayor and Human Resource Management Office for appropriate monitoring and documentation purposes.

In this connection, LGU Gubat OFW-MSWD Office shall established support mechanism for overseas Filipino worker (OFWs), especially those who became survivors of abuses, results of which shall serve as bases in satisfying special support to all OCWs and establish the list of legitimate placement agencies for monitoring, documentation and appropriate action.

On the other hand, returning women and men OFWs shall be provided skills with development and entrepreneurship training in cooperation with Department of Labor and Employment (DOLE), Department of Science and Technology (DOST), Technical Skills Development Authority (TESDA), Philippine Overseas and Employment Agency (POEA), Overseas Workers Welfare Administration (OWWA) and other agencies concerned.

**Section 43. Gender-Sensitive Physical Plan.** A physical plan appropriate for a gender-sensitive environment shall be adopted by all government and private local offices, school agencies, establishments or companies in the Municipality of Gubat, which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the said workplaces.

**Section 44. Facilities and Support Systems for All Employees.** The Municipality of Gubat shall ensure the safety and health of women employees. In appropriate cases it all require government and private employers to:

- a. Provide seats proper for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency.
- b. Establish separate toilet rooms, lavatories and lounge for women and men and provide at least a dressing room for women.
- c. Establish child minding areas or center or designate specific area in workplace to temporarily cater to breast feeding, child rearing and early childhood care for working parents while they are in their respective jobs, giving due consideration especially for working nursing mothers.
- d. To provide support services and gears to protect them from occupational and health hazards.

**Section 45. Orientation on Gender Sensitivity and Sexual Harassment.** All government and private local offices, establishments or companies in the Municipality of Gubat shall conduct or sponsor orientation on gender sensitivity and sexual harassment for the benefit of their respective personnel.

**Section 46. Gender Sensitization as a Pre-requisite to Employment and Promotion.** The MGAD Office shall promote and encourage gender sensitization in all government and private offices as a pre-requisite to hiring and promotion of personnel.

**Section 47. Setting-up of a Grievance Desk.** A grievance desk shall be set up in all government and private local offices, school agencies, establishments or companies in the Municipality of Gubat, employing at least ten (10) workers, to act on complaints related to sexual harassment and other violation. For this purpose, a grievance procedure must be installed in said agency, office and establishment.

#### **Article VI Urban and Rural Women's Right**

**Section 48. Land for Women-Headed Households and Landless Families.** Qualified women-headed households and landless families interested and committed to till any idle public land shall have preferential right to cultivate and till such land upon execution of a memorandum of agreement (MOA) between parties concerned. Ownership of such land shall be granted to women-headed households and landless families as long as they have the capacity and capability to till said land and if qualified under the Comprehensive Land Reform Program. Support services shall be delivered by the Municipal Government and other agencies as part of the said MOA.

**Section 49. Women as Holder of Land Titles.** The land shall be equally distributed to qualified women and men beneficiaries. In the distribution of Certificate of Land Ownership Acquisition (CLOA) and othe land entitlements, it is hereby required that women be stated as co-owner of said title/s, thereby ensuring equal access and ownership as beneficiaries of government's agrarian reform program and other land reform instrumentalities.

The Municipal Government in coordination with the DAR shall provide information and assistance to women on claiming rights to the land at all times.

**Section 50. Promotion of Small and Medium Scale Enterprise (SMSE).** The Municipality Government shall promote and support SME ensuring food and livelihood security for rural as well as urban women utilizing environment and women-friendly and appropriate technology.

**Section 51. Access to Science and Women-Friendly Alternative Technology Education.** The Municipal Agriculture Office in cooperation with the Department of Science and Technology (DOST) and other line agencies, shall establish a science and women-friendly alternative technology center for urban and rural women.

**Section 52. Production Inputs.** Urban and Rural women shall have equal access to production inputs including but not limited to fertilizers, seedlings, pesticides and livestock.

**Section 53. Access to Safe Water.** All barangays in the municipality of Gubat shall adopt appropriate measures to provide easy access to safe/potable water supply. Appropriate systems shall be installed to ease the women's workload.

#### **Article VII Religious Right**

**Section 54. Religious Rights.** The concept of interfaith and free exercise of religious affiliation provided that each spouse shall have the right to choose her/his religious affiliation. Likewise, children at the age of maturity shall enjoy the same right of affiliation to religion including community and institution.

**Article VIII  
Culture, Mass Media and Social Rights**

The Municipality of Gubat in coordination with the Public Information Agency (PIA) the various local media organizations, the radio, print and broadcast media, shall afford the following:

**Section 55. Culture and Mass Media Right.**

- a. *Recognition and preservation of cultural identity and integrity.* The state recognize and respects the rights of indigenous people to practice, promote, protect and preserve their own culture, traditions and institutions and to consider these rights in the formulation and implementation of programs and policies.
- b. *Gender Sensitive Portrayals in Media.* All media institutions shall be sensitive in portrayal of women's and men's role, encourage positive images of women, and discourage sexist and homophobic print materials and broadcast programs.
- c. *Regulation of Internet cafes and computer shops.* The municipality of Gubat shall regulate the operation of the internet service provided in establishments and entertainment, and computer shops in order to curb and prevent the proliferation of access to cyber-sex pornography of minors.

**Section 56. Popularization of Gender-Fair Materials.** There shall be an active promotion and publication of gender- fair materials in popular forms in the municipality of Gubat.

**Section 57. Rights to Peace and Development.** Peace process thru the Local Chief Executive shall be pursued with the following considerations:

- a. Increase the number of women participation in decision making in the peace process including membership in the peace panels;
- b. Ensure the development of women's peace agenda in the over-all peace strategy and women's participation in the planning, implementation, monitoring and evaluation of rehabilitation and rebuilding of conflict affected areas;
- c. Recognize and support women's role in conflict-prevention and peace making and in indigenous systems of conflict resolution.

**CHAPTER III  
CRIMES AND VIOLATIONS AGAINST WOMEN AND CHILDREN**

**Article I  
Crimes and Violations**

**Section 58. Violence Against Women.** Under this Code, the herein offenses shall be considered as public crimes; any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in

public or private life. Violence against women of criminal acts as enumerated under RA 9262, and under this Code, shall include but is not limited to:

- a. Physical, Sexual and psychological violence occurring in the family and other close relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c. Physical, sexual and psychological violence perpetrated against women and condoned by the State, wherever it occurs.
- d. Installation of objects such as mirrors, hidden cameras, recorders and other devices to peep into rooms, enclosures and public utility vehicles used by women or to obtain reflections of the genitalia and other body parts of women and girl-children;
- e. Proliferation, publication, and passing on to another recipient, whether as text, picture, email or video thru print, cellphones or computers, the images taken of a woman or girl-child which gives the impression of obscenity or as a "sex scandal".
- f. Violation of human rights of women in situations of armed-conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.
- g. Forced sterilization and forced abortion, coercive/forced use of contraceptives, prenatal sex selection and female infanticide.
- h. To buy or sell a woman or any of her body parts for profit.
- i. Feminization of poverty which is regarded as a condition when 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 interests of women.

**Section 60. Trafficking in Persons.** Other than those enumerated under RA 10325 as amended:

- a. Refers to the recruitment, transportation, transfer or harboring or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of vulnerability of the persons, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation.

- b. Trafficking of persons includes- at a minimum- the prostitution of women or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs, as defined in RA 9208.

**Section 61. Sexual Harassment** - Other than the definition provided by RA 7877 the following constitute sexual harassment, some of which are covered by the Revised Penal Code under Acts of Lasciviousness, to wit:

- a. Persistent telling of offensive jokes or other analogous statements to someone who finds them offensive or humiliating.
- b. Taunting a person with constant talk about sex and sexual intercourse.
- c. Displaying offensive or lewd pictures and publications in the workplace.
- d. Interrogating someone about the sexual activities or private life, during interviews for employment, scholarship grant or any lawful activity applied for.
- e. Making offensive hand or body gestures at someone.
- f. Repeatedly asking for dates despite verbal rejection.
- g. Steering or leering maliciously.
- h. Touching or pinching or brushing up against someone's body unnecessarily or deliberately.
- i. Kissing or embracing someone against her will.
- j. Requesting sexual favors for a good grade, obtaining good job promotion, etc.
- k. Cursing or whistling or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as "puta", "peste", "boba", etc.
- l. Any other unnecessary acts during physical examinations.
- m. Requiring women to wear suggestive or provocative attire during interviews, job hiring, admission or promotion.

**Section 62. Pedophilia.** It is the form of sexual perversion where children are the preferred sex objects/partners and committed under the following circumstances:

- a. When the offender shall have sexual intercourse or lascivious conduct with a minor;
- b. When the offender shall have anal or oral intercourse with a minor;
- c. Other pedophilic acts other than sexual or anal intercourse which will include custodial abuse.
- d. Under any of the circumstances provided for under the law on Rape and Republic Act 7610.

**Section 63. Printing Publication, Display and Distribution of Pornographic Scenes and Similar Literature.** It shall be unlawful for any person to print, publish, display or distribute scenes on movie/TV trailers/show, posters, billboards, literature and other visual materials which treat women as sex objects and commodities.

**Section 64. Pornographic and Indecent Shows.** Indecent shows, as used in this Code, include nude or other provocative gestures which further projects and exhibit women as sex objects in private or in public place or under scandalous circumstances.

**Section 65. Mail Order Bride.** It shall be unlawful for any person to engage in mail order bride scheme as defined in this Code and under Republic Act No. 6955.



**Section 66. Live Shows.** It shall be a violation of women's rights to influence or force a woman or girl-child to do naked or otherwise lewd shows in public or private places for commercial or entertainment purposes.

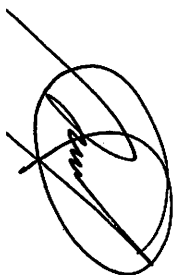
**Section 67. Popularity Contest.** The right to dignity and sanctity of the body of a contestant in beauty pageant shall be respected. Unwanted and unnecessary ogling at and touching of any body part of these contestants shall be considered violence against women. Public display of their pictures and videos without their written consent shall be prohibited. Thus, the holding of beauty contest shall be supervised by the MGAD Office, which shall be composed of the MGD Officer as the chairperson; and the SB Committee on Women and Family Relations, One (1) Representative from the Religious Sector, MSWDO and One (1) as members.

## Article II Support System and Services

**Section 68. Comprehensive Support to Survivors of Violence.** The Municipal Government shall provide an immediate comprehensive support to survivors of violence, which shall be in the form of legal, medical, psychological, shelter and other forms of support services to be provided by the MGAD Office in coordination with the Municipal Social Welfare and Development Office and other involved agencies with the provisions of the implementing rules and regulations of this Code.

Such support shall consist but not limited to the following:

- a) Immediately conduct an investigation with the assistance of appropriate law enforcement agencies within twenty-four (24) hours.
- b) Provide counseling and medical services for the victim.
- c) Gather evidence for the arrest and prosecution of the perpetrators.
- d) Make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, and endorse the same to the proper prosecution office within thirty-six (36) hours from the time of filing, regardless of his/her evaluation of the case.
- e) The investigating office or the examining physician, preferably of same sex as that of the victim, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical examination is being conducted.
- f) All investigations/ hearings involving rape cases and other forms of violence against women conducted in police stations, prosecutor's office and the courts shall recognize the presence of survivor's social support group as expressly allowed or requested by the offended party or requested in his/her behalf by relatives or GAD Office.
- g) A temporary shelter with appropriate support services for women in crises shall be appropriately constructed under the
- h) Women victims of all forms of violence shall be registered in a community-based psychological program that shall assist the women in rebuilding and empowering themselves.



**Section 69. Role of Female Police Officer.** Complaints filed by women on battering and other forms of abuse against them shall be handled by female police officers who shall undergo special courses on handling cases affecting abused women.

**Section 70. Survivor's Support Group.** There shall be an organized group to whom a survivor of violence voluntarily agrees to establish a professional helping process. All investigations and hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutors' office and trial court room as observers and to provide moral support to the survivors subject of litigation as expressly allowed or requested by the offended party.

**Section 71. Psychosocial Program.** Women and children who are survivors of all forms of violence shall be registered in the psychosocial program, which shall be carried out by the MGAD Office, Municipal Social Welfare Office, Municipal Health Office and other related agencies as provided in the implementing rules and regulations of this Code.

**Section 72. Overseas Filipino Worker's Wives and Children Support.** The Municipal Government shall conduct a survey of overseas contract workers, results of which shall serve as basis for special support to women and children. Their rights as provided under RA 8042 shall be upheld and respected.

**Section 73. Barangay Protection Order.** It shall be provided or issued by the barangay captains in cases of domestic physical violence against Women in accordance with RA 9262.

**Section 74. Women in Custody of Law Enforcement Officers.** The Municipal Government shall ensure the protection of women in custody from violence and abuses by law enforcement officers, by monitoring situations thereof.

**Section 75. Protection of Girl-Child.** The Municipal Government shall pursue measures to eliminate discrimination against girl-child and protect them from all forms of abuse and exploitations caused by negative cultural attitudes and practices as well as in the economic exploitation of child labor.

**Section 76. Support to Solo Parent.** All single parents regardless of status have equal access to support services following the provisions of RA 8972.

**Section 77. Lesbians, Gays, Bisexuals, Transgender.** The Municipal Government shall protect the rights of lesbians, gays, bisexuals, transgender against all forms of violence or any forms of discrimination.

**Section 78. Support Services for Women in the Entertainment Industry.** The municipal government shall ensure protection of women from all forms of violence as provided for in the RA 9262 and other commission of violence other than intimate relationship such as siblings, parents to children and other person included in the domicile.

#### CHAPTER IV SPECIAL SECTORAL CONCERNS

##### Article I

##### Differently-abled Women, Elderly Citizens and Women in Detention

**Section 79. Special Education for differently-abled Women.** There shall be a special education program for differently-abled women in the municipality of Gubat as provided for in RA 7277.

**Section 80. Advocacy on Differently-abled Women's Right.** Active Advocacy on the rights of differently-abled women shall be conducted by the MSWDO through the MGAD Office in close coordination with the sector.

**Section 81. Creative Employment Opportunities for Differently-abled Women.** The Municipal Government shall develop creative employment opportunities for differently-abled women recognizing their differential conditions and full potentials as human beings. No women with impairment shall be discriminated in her quest for employment. The government shall enjoin all cause oriented groups to rally their support to this sector.

**Section 82. Reporting of Cases of Harassment Committed Against Differently-abled Women.** The municipality of Gubat through its MGAD Office shall require all barangays to monitor and report cases of harassment against differently-abled women.

**Section 83. Organization of Differently-abled Women.** Each barangay shall create a committee of differently-abled women within the Barangay Women Development Committee (BWDC) in order to advance the interests of this special group of women.

**Section 84. Organization of the Elderly Citizen.** Each barangay shall create a committee of the elderly women within the BWDC and MSWDO in order to advance the interests of this special group of women.

**Section 85. Support Funds for the Elderly Persons.** Fund from the GAD 10% shall be allocated to support elderly persons to include the emergency assistance, routine physical check-up, social group work program and appropriate socio-economic activities.

**Section 86. Day Center for Senior Citizens.** There shall be a center for elderly in barangay centers to render comprehensive support services.

**Section 87. Support to the Detained Persons.** Rights of all women detainees shall be protected,

- a. Speedy trial of their cases shall be ensured by all concerned;
- b. An appropriate program shall be designed to respond to their specific needs and problems as detainees and as mothers;
- c. Separate cell or structures and space for detention and rehabilitation shall be provided, taking into consideration the natural duties of detained mothers to be breastfeed and give personal care and attention to their minor-children while in detention.

## Article II Women and Environment

**Section 88. Women's Participation in Environment Watch Groups as Mandated by Laws.** Both women and men shall actively participate in Bantay-Dagat, Bantay-Gubat and other forms of organizations and advocating for environmental defense and protection, and those deputized by government.

**Section 89. Role of Women in Environment Impact Assessment Projects.** The Municipal Government shall promote the active role of women in environmental impact assessment (EIA) project by engaging their participation in the planning, consultation and actual conduct of EIAs.

## CHAPTER V IMPLEMENTING PROVISIONS

### Article I Structural Framework, Powers and Functions

**Section 90. The Gender and Development Council (GAD) of the Municipality of Gubat.** The GAD of the municipality of Gubat was created and existing by virtue of Municipal Ordinance No. 159 S-2002 or referred to a GAD Council of Gubat.

The Municipal Gender and Development Council shall be headed by the Mayor as the Chairperson and co-chaired by an elected Chairperson from the representative of women NGO's in the municipality who must not be a government employee, either appointed or elected. The Co-Chairperson shall have the authority to call a meeting and preside in the absence of the Chairperson and submit for approval any and all recommendations of the members of the council to the Chairperson.

The Council shall composed of the other following members:

- a. The Chairperson of the Committee on Women and Family;
- b. The Chairperson of the Committee on Ways and Means and Appropriations;
- c. The SK Federation President or Representative
- d. The Municipal Social Welfare and Development Officer;
- e. The Municipal Health Office Representative
- f. The Municipal Planning and Development Officer;
- g. The ABC President or Representative;
- h. One representative from the government sector to be appointed by the Municipal Mayor;
- i. The Gender and Development (GAD) Officer;
- j. Representatives of the Women Non-Government Organizations operating in the municipality of Gubat, who shall constitute fifty percent (50%) of the members of a full organized GAD Council in the first year of implementation, equal number of representation from GO and NGOs will compose the fully organized GAD in the succeeding years;
- k. Sectoral representatives:
  - i. Two Representatives from the Education Sector (Public and Private).
  - ii. Two Representatives from the Gubat Lady Legislators League
  - iii. Two Representatives from the Business Sector
  - iv. Two Representatives from the Professional Sector preferably a lady member of the Integrated Bar of the Philippines

The Municipal GAD Council shall in coordination and consultation with the different agencies of the government particularly the National Commission on the Role of Filipino Women and the National Economic and Development Authority, formulate its own Gender and Development Programs/Projects.

The Municipal GAD Council shall enlist the help/aid of the Women Non-Government Organization for assistance in the implementation of the GAD programs/projects.

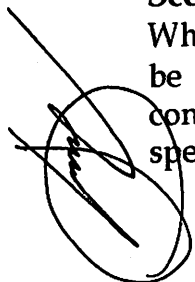
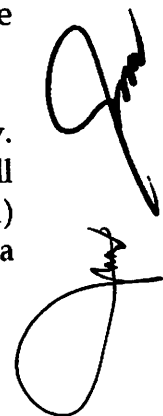
**Section 91. Representation of Women Non-Government Organization in the Municipal Level.** Within a period of sixty (60) days from the start of the organization of the GAD Council, the Women Non-government Organization (WNGOs) accredited by the local Sanggunian Bayan shall choose from among themselves their representation in the said council.

**Section 92. Secretariat.** There is hereby constituted for each Gender and Development Council a Secretariat, the composition of which shall be determined by the GAD Council. It shall be responsible for providing technical support, documentation of proceedings, preparation of reports and other assistance as may be required in the discharge of its functions. The GAD Council may avail of the services of any non-governmental organization or educational or research institution for this purpose.

**Section 93. Powers and Duties of the GAD Council.** For the proper implementation of the GAD plans and to ensure the promotion of the welfare of the women sector, the GAD Council shall exercise and perform the following powers and duties:

1. Formulate long term, medium term and annual integrated gender and development plans and policies;
2. Submit or develop a comprehensive development program responsive to the needs and situation of the women sector of the municipality;
3. Identify the problem confronting the women sector and formulate programs, projects and activities (PPA) that will uplift their condition;
4. Monitor and evaluate the implementation of national or local GAD programs and projects;
5. Promote and support the establishment of consultative mechanism which shall provide for a continuing dialogue between the local government unit and the women sector;
6. Maintain and update and data bank through the conduct of primary and secondary data gathering activities;
7. Determine the existing gender issues and dimensions and extent of the gender issues within the municipality;
8. Prioritize the identified issues and draw up the objectives, targets, and strategies address to the GAD Council as well as estimate the resources needed;
9. Conduct seminars on gender sensitivity and gender responsive planning;
10. Perform such other functions and exercise such other powers as may be provided by law or competent authority;
11. Require the LGUs Human Resource Unit to look into the situation of women and men within the municipality, and to review the policies and practices in relation to hiring, training, promotion and retirement to eliminate gender biases therein.
12. Ensure that GAD activities of the LGU are replicated in the barangay level.
13. Establish linkages with the National Commission on the Role of Filipino Women (NCRFW) and attend the Annual GAD Council Assemblies to assess performance and to learn from others' experience.

**Section 94.** The GAD Council shall meet once a month or as often as may be necessary. When both chairpersons are present, the Municipal Mayor, as a matter of protocol, shall be given preference to preside over the meeting. Fifty percent (50%) plus one (1) constitute a quorum of the council. The Chairperson or the Co-Chairperson may call a special meeting at any time as the exigencies of the program may require.

**Section 95. Women's Month.** The celebration of the Women's Month shall be held every 8<sup>th</sup> day of March, to which an amount shall be appropriated necessary and sufficient to cover the expenses which shall be incurred by reason thereof subject to the existing government accounting rules.

**Section 96. Executive Committee.** Each GAD Council shall create an executive committee to represent it and act in its behalf when it is not in session. The composition of the executive committee shall be as follows:

- 1) The executive committee of the Municipal Gender and Development Council shall be composed of the Municipal Mayor and its Co-Chairperson, Chairperson of the Committee on Women and Family, Chairperson of the Committee on Ways and Means and Appropriations, the Municipal Social Welfare and Development Officer, GAD Officer, the chosen representative of the Municipal Mayor and four (4) representatives of women non-government organizations/people's organizations representative in the council, as members;
- 2) The Executive Committee shall exercise the following powers :
  - i. Ensure that the decision of the council are faithfully carried out and implemented.
  - ii. Act on matters requiring immediate attention or action by the council.
  - iii. Formulate policies, plans and programs based on the general principle laid down by the council.
  - iv. Act on other matter that may be authorized by the council.
  - v. All decisions of the council should be decided by the majority vote of the members of the executive committee.
  - vi. Integrate and monitor the GAD plans.
  - vii. Form functional committee to assist the GAD Council in the performance of their functions.
  - viii. Create and organize a core group of GAD advocates or GAD focal points to steer and oversee gender mainstreaming in the GAD plan.
  - ix. To exercise such other powers and duties as the law may provide necessary in the proper implementation of the programs.

**Section 97. Relation of GAD Council to the Local Sanggunian Bayan and the Regional/National Focal Point Agency.** The policies, programs and projects proposed by the GAD Council shall be submitted to the Sanggunian concerned for its approval and/or its ratification.

The integrated GAD plans may be linked with the whole development plan of the municipality.

The approved GAD plans will be submitted to the NCRFW (National Commission on the Role of Filipino Women) to get assistance in determining the kind of technical assistance needed in implementing the GAD plans.

**Section 98. Sectoral and Functional Committee.** The GAD Council may form sectoral and functional committee to assist them in the performance of their functions.

**Section 99. GAD Budget.** The GAD Budget may be used for the following budget items:

- 1) Personnel Services, for example, the salaries of workers directly engaged in GAD Office programs, projects and activities;
- 2) Maintenance and other operating expenses for the cost of managing women's shelter, women's health projects, training of women in non-traditional occupations, and training of field workers in GAD, among others;
- 3) Capital outlay such as building of and providing equipment for women's shelter and training centers for women.

*The Accounting/Budget Offices shall furnish the various GAD Council information on the financial resources and budgetary allocations applicable to its perspective jurisdiction to guide them in their planning functions. Particularly, 5% of the general appropriation for the year shall be allocated annually for the programs and projects strictly of the GAD Council in accordance with the implementing guidelines as stated below:*

- 4) The annual GAD Budget shall give priority to the following:
  - i. Education and Human Resource Development
  - ii. Health, Nutrition and Family Planning
  - iii. Social Welfare and Community Development
  - iv. Labor, Livelihood and Employment
  - v. Special Concern (e.g. Women and Migration, Prostitution, Violence Against Women, Women and Family, and Indigenous Cultural Communities).
- 5) The minimum five percent (5%) GAD Fund shall be used for the following purpose/s:
  - i. GENDER MAINSTREAMING (GM) - It is the integration of gender concerns in the development agenda in order to address gender inequalities. Some indicators of this process are as follows:
  - ii.
    - a. Situation analysis which identifies (1) differences or similarities in women's and men's condition; (2) practical gender needs; (3) strategic gender needs and (4) potential and constraints to women's ability to participate in and benefit from Programs, Projects and Activity (PPA);
    - b. Determines gender goals and strategies and sets targets for women's empowerment towards reducing gender inequality;
    - c. Activities aim to include both men and women; and where needed, new activities for women are designed;
    - d. Budgets must be allocated for gender-related activities, with respect to priority thrusts in relation to practical gender needs particularly of women and in consideration of the over-all municipal women development plan;
    - e. Conducting seminars or gender sensitivity and gender responsive planning.
  - iii. SETTING UP OF GAD FOCAL POINTS AND INSTITUTIONAL MECHANISM. Includes the creation and strengthening of agency mechanisms such as Focal Points, Technical Working Groups, and Trainor's pool tasked to guarantee that GAD concerns are recognized and addressed which include the following:

- a. **ADVOCACY AND TRAINING.** These are activities that develop awareness and support for GAD, equip development workers with skills required for gender mainstreaming, and sustain interest and concern for gender issues and gender focused undertakings.
  - b. **PROGRAM PLANNING.** These are activities that provide planners with skills, guidelines and instruments to ensure that gender-responsive programs and projects are drafted and implemented.
- iv. **WOMEN-SPECIFIC (WS) PROGRAMS/PROJECTS AND ACTIVITIES (PPA).** These are activities intended to directly benefit women, including those that improve their access to basic services, such as the following:
- a. Women's health and safe motherhood programs and projects;
  - b. Skills training for women;
  - c. Crisis center for women;
  - d. Training women in non-traditional trades;
  - e. Provision of technical (i.e. providing gender neutral textbooks) and financial resources for women;
  - f. Mobilization and organization of women;
  - g. Counseling and therapy for women.

**Section 100. GAD Officer.** The necessity to employ the services of an academically prepared and competent GAD OFFICER is a must. Hence, no person shall be appointed as GAD Officer unless he/she is a citizen of the Philippines, of good moral character, a holder of a college degree from a reputable college or university, and first grade civil service eligible or its equivalent.

The GAD Officer shall:

- 1) Manage, organize and administer the affairs of the GAD Council;
- 2) Formulate plans, objectives and measure together with the members of the GAD Council particularly those which have to do with the GAD programs/plan management related programs, the end results of which would contribute to the accomplishment of the mission or goals of the program;
- 3) Collect data and set information to guide the GAD Council.
- 4) Supervise and monitor all GAD activities;
- 5) Organize the Secretariat GAD Office;
- 6) Recommend qualified individuals to positions that may arise from the creation of the GAD Secretariat Office with the approval of the Municipal Mayor;
- 7) Perform such other functions as the council may provide.

The GAD Officer shall be appointed by the Mayor based on the aforementioned qualifications and shall receive such remuneration equivalent to salary grade 20.

**Section 101. Administrative Provision.** To realize full potential of GAD initiatives, there shall be conducted an effective information and education campaign in all levels of governance. There shall be adopted a mechanism that shall provide for a continuing program for capacity building for employees in all local governments.

**Section 102. Implementing Rules and Regulations (IRR) –** The Executive Department through the Municipal Social Welfare and Development Office (MSWDO) and the



Municipal Legal Officer shall, within Sixty (60) days from its enactment, formulate the necessary guidelines for its proper implementation.

**CHAPTER VI**  
**FINAL PROVISIONS**

**Section 103. Separability Clause.** If for any reason, any portion or provision of this Code is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected hereby shall continue to be in full force and effect.

**Section 104. Applicability of other laws, rules and regulations.** On matters not provided in this Code, any existing applicable laws and their corresponding, implementing rules and regulations, executive fiats and relevant issuances issued therefor shall apply in suppletory manner.

**Section 105. Repealing Clause.** All ordinances, issuances and/or parts therein inconsistent herewith are hereby repealed.

**Section 106. Effectivity Clause.** This code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under the Republic Act No.7160 otherwise known as the Local Government Code of 1991.

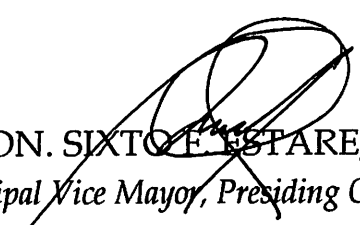
UNANIMOUSLY ENACTED.

I HEREBY CERTIFY TO THE  
CORRECTNESS OF THE FOREGOING:

  
JOEY P. ENATE

*Secretary to the Sangguniang Bayan*

*Attested by:*

  
HON. SIXTO E. ESTAREJA  
*Municipal Vice Mayor, Presiding Officer*

*Approved by:*

  
HON. SHARON ROSE G. ESCOTO  
*Municipal Mayor*