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OFFICE OF THE SANGGUNIANG BAYAN

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GENERAL ORDINANCE NO. 17-49

Series of 2014

AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT (GAD) CODE OF TUNGAWAN, ZAMBOANGA SIBUGAY AND MANDATING THE IMPLEMENTATION OF A COMPREHENSIVE AND SUSTAINABLE GAD PROGRAM

Authored by: Hon. Isabel P. Lingad
Co-Authored by: Hon. Lorverle S. Caracol

Be it Ordained by the 17th Legislative Council of Tungawan, Zamboanga Sibugay in its 18th Regular Session Assembled, that:

CHAPTER I – GENERAL PROVISIONS

ARTICLE I

TITLE, DECLARATION OF PRINCIPLES AND POLICIES

SECTION 1. Title. This ordinance shall be known and cited as the "Gender and Development Code (GAD) of the Municipality of Tungawan, Zamboanga Sibugay" hereinafter referred to as the Code.

SECTION 2. Declaration of Principles and Policies. It shall be the policy of the Local Government Unit of Tungawan to uphold the rights of women, believe in their work, 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 equally in the fruits thereof.

The Local Government Unit of Tungawan, Zamboanga Sibugay, in its commitment to the establishment of a national and international order based on sustainable and equitable growth undertakes to facilitates 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 Tungawan, fully cognizant of women's efforts towards empowerment and self determination, shall vigorously pursue and implement gender-responsive development policies, design as integrated gender and development support systems, and implement measures to protect and promote their rights.

TO ATTAIN THE FOREGOING POLICY

1. All government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines focusing on roots of women's oppression, pursuant to the United Nations Declarations of which the Philippines Government is a signatory.
2. All local governments, departments and agencies in the Municipality of Tungawan shall review and revise all their regulations, circulars, issuances and procedures to remove gender biases herein and shall complete the same within two years.

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.

- 3.1 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;



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- 3.2 Women have the right of freely and duly participate, individually or collectively in the political processes of their communities and nation.
- 3.3. Women have the right to the means for assuring their economic welfare and security;
- 3.4 Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice with the constitution and their belief and preferences;
- 3.5. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and receive adequate support for rearing and caring of their children;
- 3.6 Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood;
- 3.7 Women have the right to adequate nutrition, proper health care and humane living conditions;
- 3.8 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;
- 3.9 Women have the right to equality before the law, in principle 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 partners of men in development.

In the right of these historical gender biases, inequalities and inequities, this piece of local legislation will provide the Municipal Government a policy direction to formulate programs and strategies, among others, 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 academic 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 centers and shelters in the Municipality of Tungawan for survivors of violence against women and children and other social 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.



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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 woman'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, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to a country and forcing the victim to do degrading things. It may also include controlling the victim's lawful or usual activities, the use of foul 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 commonlaw relations 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 structures of domination.
 - d. *Premeditated and intentional* destruction of property and pets usually the victim's favorite.
2. **Benefit Dance/Disco** - refers to a dance in the locality where women are commodified for fund raising purposes.
3. **Collateral relatives** - next of kin who are not in direct line or inheritance such as cousin.
4. **Commodification of Women** - is a practice which puts women in a subordinated situation, which results in the treatment of women as both consumers and objects 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 of 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 growth in a balanced ecology.
6. **Differently-abled Person** - are survivors of physical impairments that have differentiated needs and potentials.
7. **Discrimination against women** - any distraction, exclusion or restriction made 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 distributive 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.

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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 raffle draw, benefit 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 a woman as central, partial or special focus in order to raise funds.
12. **Gender** refers to the differentiated social roles, behavior, capacities and intellectuals, emotional and social characteristic attributed by a given culture to women and men, in short all differences besides 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 promotes greater focus on people both as development agents and participant. 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 women 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 contribute 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 subgroups of society, i.e. homosexuals, in all spheres of public and private life.
15. **Gender Mainstreaming** -refers to the strategy of integrating gender and development concerns 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 issues 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 culturally 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 recognize and address gender issues in the programming process. At the center of the learning process is the conscientisation, involving the ability to recognize the underlying issues of gender equality which form a pervasive obstacle to program progress.

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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 or communally 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, traditions and other distinctive cultural traits, they are regarded as indigenous on account of their descent from the populations who inhabited the country at the time of conquest or colonialization and who retain some or all of their own social, economic, cultural and political institution and have been displaced from their traditional domains or who may have remitted outside their ancestral domain.
23. **Minors** – refers to persons below 18 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 maximum utilization of land and other indigenous resources.
25. **Mail Order Bride** – is a practice where a woman establishes 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 in this code, included but not limited to night clubs or day clubs, cocktail lounges, super or family clubs, disco houses, minus-one or sing-along houses, bars or beerhouses gardens, fast food center showing sports competitions, replay videocassette films/movies and other places of amusement where one seeks admission to entertain oneself by seeing or viewing or by direct participation.
27. **Places of amusement** – includes theaters, cinemas, concert halls, circuses and other places of amusements when one seeks admission to entertain oneself by seeing viewing the show or performances.
28. **Pornography Scenes, Pictures, Publications** - written or graphic or other forms of communications 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 considerations 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 persons 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

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- f. Prevention and Treatment of Infertility and Sexual Disorders
- 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 Tungawan 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-NCRFW Joint Memorandum Circular No. 2001-01 "GUIDELINES FOR INTEGRATING GENDER AND DEVELOPMENT (GAD) IN THE LOCAL PLANNING SYSTEM THROUGH THE FORMULATION OF GAD PLANS."

The Local Government of Tungawan 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 or the Local Government Code of 1991 particularly Sections 16 & 17 and other related provisions.

The LGU of Tungawan shall ensure that all barangays under its jurisdiction shall prepare a GAD plan addressing gender issues of their locality following Sections 16 and 17 of the Local Government Code of 1991 and other related provision.

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

The formulation 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 documentation and researchers, which shall form part of the Municipality of Tungawan 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 of Tungawan.

Section 8. Integrated Gender Sensitive and Environment – Friendly Zonification Plan. An Integrated Gender-Sensitive and Environment-Friendly Zonification Plan for the Municipality of Tungawan 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 and social production.
- c. Housing and industrial project sites shall be those unproductive lands unsuitable for agricultural purposes.

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 rights to self-determination.

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Section 10. Gender-Sensitive Natural Resources-Based Management Program. The Local Government of Tungawan shall engage itself in gender-sensitive natural resources-based management program.

Section 11. Role of Women in Environment Impact Assessment Project. The Local Government shall promote the active role of women in environmental impact assessment projects.

Section 12. Promotion of Alternative Technology. The Local 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 sources of funds.

Section 14. Gender Sensitivity Training for the Lupong Tagapamayapa. A special paralegal training for the Lupong Tagapamayapa shall be conducted along gender questions and related matters.

Section 15. Gender Sensitivity Training for Barangay Tanods. There shall be a gender sensitivity training for Barangay Tanods.

Section 16. Training 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 denied basic health and services such as those declared by World Health Organization as necessary to respond to basic health needs especially those that relate to maternal health care on purely financial grounds or lack of access thereto.

Section 18. Budget for Women's Health. A substantial portion of the health budget of the Municipality 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 resulting 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 Local 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 this facility.

Section 21. Gender Fair Health Care Delivery Service. The Municipal Health Officer shall ensure that health care services are not discriminating on account of gender, age, religion or political affiliation.

Section 22. Reproductive Health Services. No hospital or medical facility operating within the territorial jurisdiction of the Municipality of Tungawan 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 Officer 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 Local Government shall facilitate the celebration of the International Day of Action for the Women's Health each year where issues and concerns relative to the protection of and promotion of women's health shall be examined, deliberated, projected and government action sought.

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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

**ARTICLE IV
EDUCATION AND TRAINING**

Section 25. Statement of Policy. The local government shall endeavor to improve access of women to technology-based education and training program.

Section 26. 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 persons' 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 27. Gender Fair Curricula. The municipality shall ensure that the curricula in all schools at all levels in the municipality promote complementary roles between women and men and provide gender-sensitive materials and gender sensitivity orientation to every class.

Section 28. Special Education for Differently-Abled Women. The municipal government shall ensure that all interested differently-abled women of the municipality shall have access to special education programs.

Section 29. 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, EMPLOYMENT AND ECONOMIC OPPORTUNITIES**

Section 30. 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 access medium and large scale economic opportunities.

Section 31. 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 RA 6725. Likewise, no one shall be denied of training and promotion in employment.

Section 32. Wage and Benefits. Every employee shall comply with the minimum wage as prescribed by the Regional Wage Board and shall grant all benefits to all employees such as maternity/paternity leave, sick and vacation leave, retirement termination and other benefits provided by law.

Section 33. Facilities and Support System to Employees. The Local Government shall ensure the safety and health of women in appropriate cases, employees may:

- a. Establish separate toilet rooms and lavatories for men and women and provide at least a dressing room for women; and
- b. Breastfeeding, child rearing and early childhood care for working parents while on their respective jobs.

Section 34. Orientation on Sexual Harassment. All local offices, school agencies and establishment or companies, government and private, operating in the municipality shall conduct or sponsor orientation on sexual harassment to their respective personnel.

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Section 35. Organizational and Functionalization of Local Councils for the Protection of Women and Children. The municipality shall ensure the reactivation of the Barangay Councils 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 Local Government by legal fiat, 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 Local Government in partnership with appropriate national government agencies and private groups and other entities shall develop creative employment opportunities to differently-abled women recognizing their differentiated conditions and potentials as human being.

Section 38. Healthy and Gender Fair Work Environment. The Local Government shall ensure that the work place, private or public, actualizes 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 they can perform their duties in this position without detriment to efficiency and provide workers with the necessary gear to guard against the detrimental effects of the nature of their functions such as the special support stocking for female workers required to perform their functions in standing position.

Section 39. Municipal Based Registration of Helpers. The municipality shall come up with an Annual Survey of domestic helpers in the barangays to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment. Employees must provide their house-helpers a recreational day-off at terms and conditions mutually agreed by both parties.

Section 40. Spousal Support. Women and their children are by law entitled to support from their spouses for this purpose. All agreements or settlements arrived at the barangay level relative to the support of the family shall be final and executory. Innovations of the agreement shall be allowed only if the same is advantageous to the children.

ARTICLE VI
POLITICAL AND PUBLIC SPHERE OF WOMEN AND CHILDREN

Section 41. Statement of Policy. The Municipality 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 42. Declaration of March 8 as a Women's Day. As declared by the United Nations, March 8 shall be observed as Women's Day. 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 43. Municipal Self Organization of Women. The municipal government through the Gender and Development Inter-agency Committee shall encourage and support the formulation of community-based organizations, and facilitate their accreditation with the Sangguniang Bayan.

Section 44. National Children's 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 45. Participation of Women in Local Governance. To widen and enhance participation of women in local governance decision-making and administration, the Local 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.

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Section 46. Creation of the Municipal Gender and Development Inter-Agency Committee. The Municipal Gender and Development Inter-Agency Committee (GAD-IAC) shall serve as the Focal Point of GAD programs.

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

Chairperson	-Municipal Mayor
Co- Chairperson	-SB Chairperson of the Committee on Social Services
Members	- Municipal Vice Mayor
	Members of the Committee on Social Services
	MSWDO Women & Children Protection Desk
	Municipal Agriculturist
	Municipal Agrarian Reform Officer
	MLGOO
	Information Officer
	Municipal Budget Officer
	MENRO
	Liga ng mga Barangay (ABC)Federation President
	SK Federation President
	Human Resource Management Officer
	DepEd District Supervisor
	Municipal Planning & Development Coordinator
	Women Representative from NGO's, PO's
	PNP
	Municipal Community Development Officer
	POPCOM
	NGO-Religious Sector
	RHU
	Representative from Business Sector
	Representative from Labor Sector
	Representative from Federation of Women's Asso.

46.2 The GAD-Inter-Agency Committee shall be tasked 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 Integrated Plan and Program for women in the Municipality and ensure the implementation thereof.
- e. Establish a data bank unit.
- f. Facilitate a Trainers' Training on GAD
- g. Ensure the GAD Activities of the LGU are replicated at the barangay level
- h. Assess the performance of the committee and learn from the experience of others by attending Annual Focal Point Assemblies and

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- i. Establish linkage with the NCRFW.

46.3 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 to it that Gender and Development concerns especially for women and children are reflected in the Annual Development Plan 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 accomplishments;
- 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 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.

46.4 The Secretariat 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 meetings of the GAD-IAC signed by the Presiding Officer;

46.5 For the purpose of institutionalizing the Gender and Development Inter-Agency Committee, an amount of FIVE HUNDRED THOUSAND PESOS (P500,000.00) 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 of RA 7192;
- b. In cases where some critical activities cannot be funded from the regular budgets, concerned government department/agencies shall be advised to source these from supplemental budgetary requests and or seek financial assistance in both local & foreign.

Section 47. Creation of Municipal 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 48. Organization of Differently Abled Women. The local government in collaboration with the Municipal Social Welfare 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 49. Organization of Elderly Women. The Local Government's Office of the Senior Citizen's Affairs shall encourage and support the organization of elderly women in collaboration with the Municipal Senior Citizen's Federation to give special focus on and facilitate response to their special needs.

Section 50. Women's Summit. The Local 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 actions thereon.

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**ARTICLE VII
SUPPORT SERVICES**

Section 51. Support Programs to Survivors of Violence. The Local Government shall provide immediate support services to survivors of violence. Support services shall consist of the following but not limited to legal, medical, psychosocial, shelter and other forms of support services. These services shall be provided by the Municipal Social Welfare and Development Office in coordination with the Gender and Development Office and other involved agencies in accordance with the provisions of the Implementing Rules and Regulations of this Code.

Section 52. Psychological Program. Women and children who are survivors of all forms of violence shall be registered in psychosocial 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 53. Role of Female Police Officer. Complaints of battering and other forms of abuse against women and children shall be handle by female officers in the local police who shall undergo special courses on handling cases affecting abused women, and whose character and credibility do not violate the accepted ethical standards in handling such cases.

Section 54. Crisis Intervention Center. A crisis intervention center is hereby established 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 and Development Office and Gender and Development Office.

Section 55. Support Services for Women in the Entertainment Industry. The Local 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 Metro PESO shall make available alternate sources of income and livelihood to women engaged in entertainment industry or places of amusement.

Section 56. Continuing Education against Sexual Harassment. To foster a culture against sexual harassment, all government or private agencies and offices within the jurisdiction of the municipality shall conduct a continuing education against sexual harassment. For this purpose the election of Social Council for Women and the Municipal Labor-Management Council shall work together to ensure that:

56.1 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/establishments or workplace.

56.2 The provisions of RA 7877 otherwise known as the Anti-Sexual Harassment Law and other provisions of the Labor Code affecting women are faithfully implemented, especially the formulation of the necessary policies and procedures in resolving complaints for sexual harassment.

56.3 Tools for Assessment and strategies against gender bias are designed and established.

Section 57. Support and Development of Day Care Centers. The Local Government shall ensure that day care centers are set-up in all barangays. Day care centers existing in the barangays shall be responsive to the need of the community to provide childcare assistance to parents in order that they may be able to engage I economically productive activities. For this purpose, day care centers shall given priority to children aged 3-4 years old.

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Section 58. Legal Education and Counseling. The Municipal Legal Office shall:

58.1 Undertake legal education and training for community leaders, Barangay officials and members of the Lupong Tagapamayapa on legal counseling and arbitration to capacitate community workers to facilitate resolution of cases and family conflicts at the barangay level in coordination with the Municipal Social Welfare and Development Office and concerned Non-Government Organization (NGOs).

58.2 Undertake a special para-legal training on gender issues and related matters for members of the Lupong Tagapamayapa for all barangays in the municipality in partnership with the Liga Ng Mga Barangay and other non-government organizations.

SECTION 59. Medico Legal Desk for Women. The Municipal Health Officer and the Chief of District Hospital shall create a medico legal desk for women to attend to women's special medical needs.

SECTION 60. Support Fund for the Senior Citizens Affairs. The Local 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 61. Support to Persons in Detention. The rights of all detainees shall be protected as follows:

61.1 Speedy trial of the cases shall be ensured by all concerned;

61.2 An appropriate program shall be designed to respond to their specific needs and problems as detainees;

61.3 Separate structure, space for detention and rehabilitation for women and men shall be established.

**CHAPTER II
MISCELLANEOUS AND PENAL PROVISIONS**

ARTICLE I

PROTECTION AGAINST VIOLENCE AND DISCRIMINATION OR ABUSE

SECTION 62. Sexual Abuse. Sexual abuse shall include but is not limited to the following:

62.1 When a man inserts or attempts to insert his penis into the mouth or anus of a women against her will or under any of the following situations, through force, threat or intimidation by means of abuse of authority or relationship when the offended party is deprive of reason or otherwise unconscious.

62.2 When an offended party is below 12 years old even though none of the above circumstances is present;

62.3 When a person inserts or attempt to insert part of his or her body other than the sexual organ or introduces any object or instrument into the genital or anus of a women against her will or under any of the situations stated in paragraph number 1 above.

62.4 When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in the paragraph or through any abnormal, unusual or ignominious sexual act.

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62.5 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 body other than her sexual organ, or the use of any instrument or object which intentionally touches the genital, breast or anus of a woman.

62.6 Sexual Abuse in intimate marital relations. Forced sexual act committed under intimate or marital relations 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 less than 6 month and a fine of 2,500 or both at the discretion of the court.

Section 63. Physical Violence. Any intentional act that causes physical harm or hurt to the victim.

Section 64. Psychological/Emotional Violence. Any intentional act that offered or cause harm or hurt-in the feelings of the victims such as but not limited to the following:

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

64.2 Threats of harm against the victim of her family;

64.3 Punching, breaking or defacing or otherwise destroying the house or any part thereof or the personal belongings of the victims;

64.4 Threatening to kidnap the children or to take them to a foreign country.

64.5 Threatening to take the victim's children away

64.6 Threatening deportation of the victim with foreign citizenship

64.7 forcing the victim to do things he/she considers as dehumanizing or degrading.

64.8 Controlling the victims lawful or usual activities

64.9 Use of fault and insulting words, language, or statement against a woman

64.10 Threats of abandonment and expression such as forcing the woman to leave the conjugal dwelling

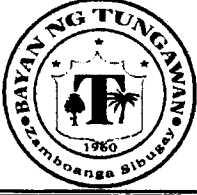
64. 11 Shouting invective against the victims and other forms of verbal abuse.

Section 65. Economic Violence. This includes depriving the victim of economic resources or their generation and mobilization so as to create forced dependence and submissiveness to the offender.

Section 66. 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 67. Domestic Violence and Sex Trafficking. Any of the acts defined under Section 65 to 66 above shall constitute domestic violence when the offender or perpetrator is a member of the family of the victim or offender party within the fourth civil degree of consanguinity or affinity, provided however that in case the violence committed is between persons living as husband and wife, parent and child or between persons with common child/children whether living together or not, the violence committed shall be deemed as domestic violence regardless of the legitimacy of the relationship between them.

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67.1 Sex Trafficking in Women. It is unlawful for any person, association cult, religion or similar activities to commit the following acts:*

- a. Establish or carry on a business for the purpose of exploiting women for purposes of sex, sex slavery, sex trade, sex tours and other immoral activities.
- b. Advertise, publish, print or distribute or cause the advertisement, publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above mentioned prohibited acts.
- c. Solicit, enlists or attract/endorse any woman to join any club, association or organization whose objective is to match women for marriage to foreigners either on mail to order basis or through personal introduction or cyberspace or any other forms which facilitate the commission of the following acts:
 1. To buy or sell a woman, or any of her body parts.
 2. To act as a procure of a sex worker
 3. To threaten or force a woman to become a mail order bride

Section 68. Solicitation. It is unlawful for any person to solicit a woman's service for sexual purpose regardless of whether the solicitor profits or not from such acts. Penalty for the commission of these acts, shall be dependent to the prevailing laws and regulations.

Section 69. Other forms of Trafficking in Women. Any person or agency who encourages, influences or recruits for work abroad or locally for a particular job on a promise of a fee instead, forced and deceived to engage in prostitution, domestic help or other odd jobs shall penalized by an imprisonment of 4 months or a fine of 2,500 or both, at the discretion of the court. Persons liable thereof, may also be prosecuted and penalized in accordance with RA 6955, an act which outlaws the practice of matching Filipinos for marriage to foreign nationals on mail order basis.

Section 70. Sexual Harassment. Other than the acts defined as constitutive 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 acts of Lasciviousness.

70.1 Persistent telling of offensive jokes or other analogous statements despite having been previously requested to refrain from doing so;

70.2 Taunting a person with constant talk about sex and sexual innuendoes;

70.3 Displaying offensive or laud pictures and publications in the workplace;

70.4 Interrogating someone about their sexual activities or private life except on physical or examination purposes;

70.5 Making offensive hand or body gestures at someone;

70.6 Repeatedly asking for dates despite verbal rejection;

70.7 Staring or leering maliciously;

70.8 Touching, pinching or brushing up against someone's body unnecessarily or deliberately;



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70.9 Kissing or embracing someone against her will;

70.10 Requesting sexual favors in exchange for a good grade obtaining a good job, promotion;

70.11 Cursing, whistling, or calling a woman in public with words having dirty connotations or implications which ridicules, humiliates or embarrasses the woman, such as "puta", "peste", "punita", etc.

70.12 Any other unnecessary acts during physical examinations;

70.13 Requiring a woman to wear suggestive or provocative attire during interviews, such as on job hiring, promotions.

Commission of one of these acts shall be subjected to an imprisonment of one week or a fine of P 1,000.00 to P 2,000.00 or both at the discretion of the court as prescribed in RA 7879 otherwise known as Anti-Sexual Harassment Act.

Section 71. Other Prohibited Acts. The following acts are hereby declared prohibited:

71.1 Pornographic Pictures and Publication. Printing, publication, display in any place openly accessible to children or distribution of visual material where women appears clad or otherwise depicting women as sex objects;

71.2 Indecent Shows. Public staging of indecent shows or shows offensive to the sensibilities of the public or tends to corrupt the morality of the youth.

Section 72. Commodification of Women. Any activity or form of beauty contest which tends to commodity, abuse, humiliate or treat women as sex objects shall be strictly prohibited within the territorial jurisdiction of the Municipality of Tungawan. For this purpose, the staging of beauty contests shall be permitted if it showcases not only the physical beauty of a person but also her talents and abilities. For this purpose, the Municipal Councils 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 contests involving women and children.

Organizers of beauty contests violating these provisions shall be subject to a penalty such as the following:

- a. For business organizations – cancellation of business permit or a fine of not less than P 1,000.00 but not more than P 2,500 or as prescribe in the implementing rules and regulations.
- b. For representatives of agencies, departments or local government units- suspension for one month without pay or a fine of not less than P 1,000.00 but not more than P 2,000.00 or other as maybe prescribed in implementing rules and
- c. For educational institution, charity or welfare organizations – a fine as maybe prescribed in the implementing rules and regulations.

Section 73. Forced Marriage. No woman shall be forced to marry without her consent. Any person committing fraudulent or coercive acts to effect a forced marriage shall be held liable under this code by imprisonment of six months and a fine of P 1,000.00 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.



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Section 74. Husband and Wife Battering. Husband and wife battering shall be punishable from the one month to one year imprisonment or a fine of P 1,000.00 to P 2,000.00 or both subject to the discretion of the court. Other forms of battering as defined in this code shall be covered by the same penalty.

Section 75. Fund Raising Initiatives. Fund raising initiatives refers to any activity whether in whole or in part, integrated in any raffle draw, benefit or disco dance 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 exhibit which depicts a woman as central, partial or special focus to raise funds. Violations of this provision as defined in this code shall cover the same penalty prescribed in Sections 74-76 or subject to the discretion of the court.

ARTICLE II

LABOR & EMPLOYMENT

Section 76. 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 religion and cruel status. Violation by private employers shall constitute a fine of P 2,500.00 and cancellation of business permit or as 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 P 1,000.00 or as prescribed by the prevailing rules and regulation.

Section 77. Wage Benefits for Women. Employers shall comply with the minimum wage requirement as stipulated by the Regional Wage Board or passed by the Congress and shall grant all the benefits to all women employees as maternity leave, retirement, termination and other benefits provided by law. Violation of this provisions by private employers shall constitute a fine of P 2,500.00 and cancellation of business permit or as 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 P 1,000.00 or as prescribed by the Court.

Section 78. Facilities and Support System for Women. The Local Government 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 P 2,500.00 and a cancellation of business permits or as prescribed by the court. A government unit or head of office that violates this provisions shall be held liable through a penalty of one month suspension and a fine of P 1,000.00.

Section 79. Reproduction Health Services. Establishments within the Municipality of Tungawan as well as Labor intensive establishment shall provide access to reproductive health services to workers regardless of sex and civil status as a manifestation of concerned for women's role in social production. Cancellation of business permit or license to operate shall be recommended for imposition by the LGU concerned and or a fine of P 2,500.00 shall constitute the penalty for violation of this provision.

Section 80. Orientation on Local Harassment. All local offices agencies and establishments or companies government and private, within the municipality shall conduct orientations on sexual harassment. Failure to comply with this provision shall mean payment of a fine of not more than P 2,500.00.

Section 81. Gender-Sensitive Physical Plan. A physical plan appropriate for gender sensitivity shall be adopted by all offices, agencies and establishment which shall help prevent sexual harassment in the workplace. Failure to comply with this provision shall constitute a fine of P 2,500 and suspension of business permit or license for three months.

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**ARTICLE III
WOMEN IN THE ENTERTAINMENT INDUSTRY**

Section 82. 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 of the establishment concerned. Violators shall be subjected to a fine of P 2,500.00 or cancellation of business permit or both at the discretion of the court.

**ARTICLE IV
HEALTH RIGHT**

Section 83. Socialized Reproductive Health Services for all Hospitals. No hospital in the Municipality shall deny a woman, living below the poverty line, of reproductive health services. Certificates of indigency shall be issued by the Barangay Captain. In case of emergency, a social worker or any authorized personnel shall be designated to conduct a rapid appraisal of the socio-economic status of the patient for admission purposes. Non compliance to the administration of this provision shall be penalized by a fine of not more than P 2,500.00.

**ARTICLE V
SOCIO ECONOMIC BENEFIT FOR WOMEN**

Section 84. Banks, Financial Institution and Cooperation Support System. All banks, financial institutions and cooperatives are encouraged to open special windows for lending to women including young women who lack access to traditional sources of collateral. This process ensures and protects the economic rights of women.

ARTICLE VI

Section 85. Municipal Local Sanction on Cases of Harassment Committed Against Differently-abled Persons. The Municipal Government shall formulate sanctions on cases of harassment committed against differently-abled persons.

Section 86. Support to Women and Children. All governments or settlements envisioned at the barangay level relative to the support of children shall be final and executory. Violation of such agreements or settlements shall be subjected to a fine of P 2,000.00.

**ARTICLE VIII
PROMOTION OF ENVIRONMENT FRIENDLY TECHNOLOGIES**

Section 87. No government agency shall act as an agent of agricultural chemicals. Chemicals allowed are only those duly authorized by Herbicides and Pesticides Authority. An administrative sanction shall be imposed on head of agencies found violating this provision.

ARTICLE IX

Section 88. Gender and Development Orientation Training. All schools, office establishment or companies, department and agencies including Municipal and Barangay Officials 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 to pay a fine of P 2,000 and issuance of warning by the municipality through the Gender and Development Council.

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CHAPTER III
PROVISIONS FOR IMPLEMENTATION

Section 89. 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 in close coordination with the Gender and Development Inter-agency Committee, a consultative assembly on the Municipal GAD Program.

GAD Desk Coordinator
GAD Monitoring Officer
Clerk

Section 90. Functions of GAD Desk. The GAD Desk shall act as the lead convenor 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 to GAD
- f. Provide assistance to women and children in especially difficult circumstance.
- g. Evaluate and monitor the GAD program of the municipality

Section 91. Rules and Regulations. The GAD-IAC shall promulgate the rules and regulations to carry out the provisions of this ordinance. It shall be convened periodically throughout the formulation of the Implementation Rules and Regulations (IRR). Official representatives of the various agencies of the Local Government and women NGO's involve in 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 92. Repealing Clause. All ordinances, resolutions, circulars, memoranda, or rules, rules and regulations inconsistent with the provision of this Code are hereby repealed and modified accordingly.

Section 93. 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 thereby shall continue to be in full force and effect.

Section 94. Supplementary Clause. On matters not provided for in this Code, any existing applicable laws and their corresponding Implementing Rules, Executive Orders and relevant issuances issued therefore shall apply in a supplemental manner.

Signature



Republic of the Philippines
Region IX, Zamboanga Peninsula
Province of Zamboanga Sibugay
MUNICIPALITY OF TUNGAWAN

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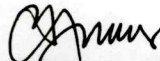
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Section 96. Effectivity Clause. This code shall take effect immediately upon its approval

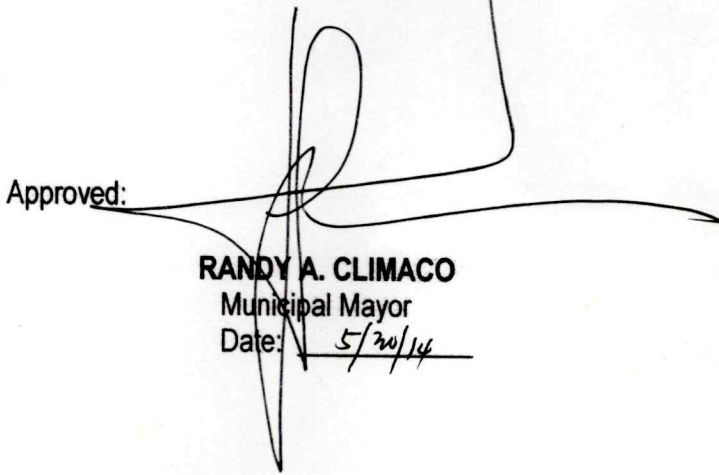
ORDAINED AND ADOPTED, this 14th day of January, 2014 at Tungawan, Zamboanga Sibugay.


DANTE D. IBARRA
Secretary to the SB

Attested:


ABDURAUP A. ABISON
Municipal Vice Mayor/Presiding

Approved:


RANDY A. CLIMACO
Municipal Mayor

Date: 5/20/14

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