

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON MARCH 03, 2017 IN LIEU OF
MARCH 02, 2017

PRESENT:

Rolando M. Villasencio, (OIC-City Vice Mayor & Temporary Presiding Officer),
SP Member, Majority Floor Leader
Vincent L. Rama, SP Member, Asst. Majority Floor Leader
Mario M. Rodriguez SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica, SP Member
Benjamin S. Pongos, Jr., SP Member
Eusebio Gerardo S. Penserga, SP Member
Gregorio G. Yrastorza III SP Member
Nolito M. Quilang SP Member
Lea Doris C. Villar SP Member, Asst. Minority Floor Leader
Mariano Y. Corro, Ex-Officio SP Member
Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

John Eulalio Nepomuceno O. Aparis II, (OIC- City Mayor), SP Member
Minority Floor Leader

ON LEAVE:

Leo Carmelo L. Locsin, Jr. Vice Mayor & Presiding Officer

PREFATORY STATEMENT

WHEREAS, Sec. 14, Article 11 of the 1987 Constitution provides that the "State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the Law of women and men";

WHEREAS, Republic Act No. 7192, otherwise known as the "Women in Development and Nation Building Act" strengthens the nation's policy to uphold and ensure that women have rights and opportunities equal to that of men by mandating all government agencies to take appropriate measures in implementing the said provision of the constitution;

WHEREAS, pursuant to Sec.14, Art. II of the Constitution and RA 7192, an Executive Order No. 273, entitled: "APPROVING AND ADOPTING THE PHILIPPINE PLAN FOR GENDER RESPONSIVE DEVELOPMENT, 1995 - 2025" directs all government agencies, including LGUs, to institutionalize Gender and Development (GAD) efforts in the government by incorporating GAD concerns in their planning, programming and budgeting processes;

WHEREAS, Republic Act 9710, otherwise known as the Magna Carta of Women (MCW), a comprehensive women's rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sector, mandates the development and passage of a GAD Code that translates gender-related national and international laws and policies at the local level;

WHEREAS, over the decades, recognition and protection of women rights has become a universal concern. Hence, the adoption of a Code that provides for the fundamental rights of women is imperative and deemed in accordance with international human rights instruments signed and ratified by the Philippines, most especially with the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and recognized;

WHEREAS, the Sustainable Development Goals, adopted by the Philippines, define global sustainable development priorities and aspirations and seek to mobilize global efforts around 17 set of goals and targets, of which, Goal No. 5 is Achieve gender equality and empower all women and girls by 2030;

WHEREAS, the City Government of Ormoc fully supports the national government in its crusade to promote gender equality through the recognition of WOMEN as equal partners of MEN in development and nation building, as well as mainstreaming gender and development issues and concerns in policies, plans and programs and other priority services;

WHEREAS, in 2013, the City of Ormoc manifested this support through the enactment of a Gender and Development (GAD) Code through City Ordinance No. 181 s 2013, which aims to enhance women's full potentials and uplift their status; formulate and implement plans and programs geared to improve their quality of life; ensure gender responsiveness of its policies and services; integrate practices that promote gender equality in both the public and private sectors; and eradicate all forms of violence against women;

WHEREAS, since the time when Ormoc City passed its GAD Code in 2013, implementation of the said code, including the policy mechanism and structure, for its implementation left much to be desired;

WHEREAS, to address the issue on the GAD Code implementation and enhance the 2013 GAD Code to make it more relevant, there is a need to revise/strengthen the existing GAD Code;

NOW THEREFORE, on motion of SP Member Nolito M. Quilang, Chairman, Committee on Good Government, severally seconded by SP Members Mario M. Rodriguez, Tomas R. Serafica, Gregorio G. Yrastorza III and Mariano Y. Corro; be it

RESOLVED, as it is hereby resolved to pass and enact:

ORDINANCE NO. 021

AN ORDINANCE REVISING ORDINANCE NO. 181 SERIES OF 2013 ENTITLED "GENDER AND DEVELOPMENT CODE OF ORMOC CITY".

BE IT ENACTED by the Fourteenth Sangguniang Panlungsod ng Ormoc in regular session assemble, That:

**CHAPTER I
GENERAL PROVISIONS**

**ARTICLE I
TITLE, DECLARATION OF PRINCIPLES AND
POLICIES AND DEFINITION OF TERMS**

SECTION 1. TITLE. This Ordinance shall be known as the "Revised Gender and Development Code of Ormoc City," hereafter referred as the Code.

SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES. The Code is a concrete manifestation of the City Government's strong adherence to the time-honored democratic tenet that men and women in a civil society are equal. This significant initiative is aimed at mainstreaming women's concerns, ensure the fundamental equality before the law of women and men, and create a wider arena for women's active participatory role in the development process.

It shall be the policy of the City Government of Ormoc to uphold the equality of rights of women and men, believe in their worth and protect their dignity as human beings.

Towards this end, the City Government of Ormoc shall be guided by the following principles:

- a) Women shall be recognized as equal partners of men in the development of the city, sharing equally in the responsibilities and enjoying equally the fruits thereof.
- b) The City Government of Ormoc shall promote the development of women's potentials towards the improvement of the quality of their lives, their families and that of their communities.
- c) The City Government of Ormoc, fully cognizant of women's efforts towards empowerment and self-determination, shall vigorously pursue and implement gender-responsive policies and programs, design integrated gender and development support systems, and implement measures to protect and promote the rights of women.
- d) In order to reinvigorate what is already a strong national policy framework on women and gender equality that serves as a strong impetus for the further development of this Code, the City of Ormoc shall ensure that the relevant ordinances on women and gender equality are translated and fulfilled.
- e) The City Government of Ormoc shall be progressive in addressing the divergent needs of women.

To facilitate the development of the full potential of women, the following rights, as defined under the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Magna Carta of Women are hereby declared and adopted under this ordinance:

- a) Women have the right to the prevention of, and protection from all forms of violence and coercion against their person, their freedom, their sexuality and their individuality;
- b) Women have the right to freely and duly participate, individually or collectively, in the political processes in their communities and nation;
- c) Women have the right to the means for assuring their economic welfare and security;
- d) Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice with the constitution and their beliefs and preferences;
- e) Women have the right to choose a spouse in accordance with the law, their values and preferences, maintain equality in marriage or its dissolution, and receive adequate support for rearing and caring 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 nurture their personhood, collectively and individually, to secure an image of themselves as a whole and valuable beings, to build relationships based on respect, trust and mutuality;
- h) Women have the right to equality before the law, in principle and in practice. In reality, women should not be viewed as second class to men but as partners of men in development.

In the light of some existing gender biases, inequalities and inequities, this Ordinance will provide the City Government a policy direction to formulate plans, programs and strategies, among others, that will:



- a) Mainstream gender concerns in sectoral development plans, policies and programs;
- b) Intensify awareness campaign on gender issues and concerns;
- c) Strengthen Government Organization-Private Organization-Non-Government Organization (GO-PO-NGO) partnerships to maximize the effectiveness of programs and services addressing Gender and Development (GAD) concerns;
- d) Encourage, support and expand the participation of economically and socially disadvantaged women in the planning, implementation, monitoring and evaluation of development programs and projects;
- e) Recommend appropriate academic curricula that are gender-sensitive at all levels in consultation with appropriate national government agencies;
- f) Provide gender-responsive relief and rehabilitation programs with special focus on the needs of women and children;
- g) 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;
- h) Set up crisis intervention centres and shelters in the City of Ormoc for survivors of violence against women and children and other social conflicts;
- i) Promote gender sensitivity in local media and advertising agencies;
- j) Increase the number of women in decision and policy-making posts in the locality;
- k) Organize and enhance the organizational capabilities and capacities of women's group in the barangays in responding to the development concerns in their communities; and
- l) Harmonize all ordinances and resolutions and integrate local bodies affecting women into the City Council for Women.

The City Government shall also endeavor to attain the foregoing principles and be guided by the following aims:

- a) As mandated in the Special Provisions of the Annual General Appropriations Act (GAA), the City shall allocate at least 5% of the total LGU annual budget for the implementation of its annual Gender and Development Plan that shall be formulated to address gender concerns and issues and to support programs and activities for women in accordance with the Women in Development and Nation-Building Act and the Magna Carta of Women;
- b) The City Government of Ormoc shall formulate a GAD Plan that shall contribute to poverty alleviation, the economic empowerment of women, the protection, promotion, and fulfilment of women's human rights, gender-responsive governance, and the achievement of the Sustainable Development Goals (SDGs) ;
- c) The City Government of Ormoc shall ensure that women benefit equally with men, and given equal opportunities to participate in government programs, projects and activities, and are involved in the development planning processes;
- d) All government project proposals shall ascertain the inclusion of gender-responsive indicators and guidelines as proposed by the Philippine Commission on Women based on the Philippine Development Plan for Women;
- e) The City Government of Ormoc shall review and revise all its internal policies, rules and regulations, circulars, issuances and procedures as to their gender-responsiveness and to remove any gender biases;
- f) The City Council for Women shall be actively consulted on matters dealing with gender issues and concerns so as to ensure non-discrimination and negative implications on women.

SECTION 3. DEFINITION OF TERMS. The following terms or phrases used in this Code shall mean as follows:

- 3.1 **Battering** - refers to a series or sequence of acts or deprivations constituting psychological/emotional and/or physical abuse such as, but not limited to, repeated or habitual cyclic patterns intended to cause intimidation of the victim and/or the imposition of the batterer's will and control over the victim's life.
- 3.2 **Child** - refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition." (RA 9208 as amended)
- 3.3 **Commodification of Persons** - refers to an activity or practice wherein the participants or subjects thereof, regardless of age, are put in an exploitative and subordinated situation involving physical or sexually suggestive displays or exposition of their bodies, and results in their maltreatment, without their informed and free consent, with no power or control to reject such utilization or manipulation. This includes any activity or form of beauty contests, 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 persons are used as incentives, prizes, substitute for cash prizes won, a companion package for an award prize or recognition or any activity, come-on display or exhibits which depicts such persons as central, partial or special focus in order to raise funds.
- 3.4 **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.
- 3.5 **Economic Violence** - refers to acts which are intended to enforce economic dependence upon women and their children or deprive them of sufficient means and resources in accordance with the description given in Section 52 hereof.
- 3.6 **Gender** - refers to the differentiated social roles, behavior, capacities and intellectuals, emotional and social characteristic attributed by a given culture to women and men.
- 3.7 **Gender and Development** - refers to a development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions they validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.

- 3.8 **Gender Equality** - refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.
- 3.9 **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.
- 3.10 **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.
- 3.11 **Gender Sensitivity Training** - means providing people with formal learning experience in order to increase their awareness and 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 conscientization, or the ability to recognize the underlying issues of gender equality which form a pervasive obstacle to program progress.
- 3.12 **Indigenous People** - a group of people who have continuously lived as an organized community in a communally bounded and defined territory, and who have, under claims of ownership, occupied, possessed, and utilized such territories since time immemorial, sharing common bonds of language, customs, traditions and other distinctive cultural traits.
- 3.13 **Magna Carta of Women**-a law passed in 2009 constituting the fundamental guarantee of rights and privileges of women in the Philippines.
- 3.14 **Other Places of Amusement** - refer to all other places of amusement not specifically enumerated or otherwise provided for in this Code, includes but not limited to night/day clubs, cocktail lounges, super or family clubs, disco houses, minus-one or sing-along houses, bars or beerhouses, fastfood centers 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.
- 3.15 **Prostitution**- refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration" (Anti-Trafficking in Persons Act).
- 3.16 **Psychological/Emotional Abuse**- refers to written or spoken acts and declarations made to or against the victim or his/her children for the purpose of accomplishing any of the purposes specified and defined in Section 50 hereof.
- 3.17 **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 twelve (12) elements, namely:

- a) Maternal, infant and child health and nutrition, including breastfeeding;
- b) Family planning information and services;
- c) Prevention and management of RTIs, HIV and AIDS and other STIs;
- d) Treatment of breast and reproductive tract cancers and other gynecological conditions and disorders;
- e) Proscription of abortion and management of abortion complications;
- f) Mental health aspect of reproductive health care;
- g) Treatment of infertility and sexual dysfunction;
- h) Counseling and education in sexuality and sexual health;
- i) Adolescent and youth reproductive health;
- j) Male involvement and participation;
- k) Elimination of violence against women; and
- l) Education and counseling on sexuality and reproductive health.

3.18 **Sexual Abuse**- refers to an act or acts involving physical contact as defined and specified in Section 48 hereof which is sexual in nature committed against a woman regardless of age or mental development of the woman;

3.19 **Trafficking in Persons** - Consistent with and in accordance with Section 3(a) of Republic Act No. 9208, "Trafficking in Persons" is defined as 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 of position, taking advantage of the vulnerability of the person, 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 which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as "trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph.

3.20 **Sexual Harassment** - Other than the acts defined as sexual harassment under RA 7877, the following shall constitute sexual harassment punishable under this ordinance, or covered by the Revised Penal Code under acts of lasciviousness:

- a) Persistent telling of offensive jokes or other analogous statements despite having been previously requested to refrain from doing so;
- b) Taunting a person with constant talk about sex and sexual innuendos;
- c) Displaying offensive or lewd pictures and publications in the workplace;
- d) Interrogating someone about their sexual activities or private life except on physical or examination purposes;
- e) Making offensive hand or body gestures at someone;
- f) Repeatedly asking for dates despite verbal rejection;
- g) Staring or leering maliciously;
- h) Touching, pinching or brushing lip against someone's body unnecessarily or deliberately;

- i) Kissing or embracing someone against her will;
- j) Requesting sexual favors in exchange for a good grade, obtaining a good job or promotion;
- k) 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", or "punita", etc.;
- l) Any other unnecessary acts during physical examinations;
- m) Premeditated and intentional destruction of property and pets usually the victim's favorite;
- n) Requiring a woman to wear suggestive or provocative attire during interviews, such as on job hiring, promotions.

3.21 **Sexuality** – is one's total expression of personhood on the basis of self- appreciation (body, mind and feeling) and satisfaction of needs. Also considered as physical expression of intimate relationship with others through various life stages.

3.22 **Violence Against Women** – 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.

3.23 **Women's Empowerment** - refers to the provision, availability, and accessibility of opportunities, services, and observance of human rights through life-cycle and rights-based approach which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society.

ARTICLE II GENDER AND DEVELOPMENT PROGRAM

SECTION 4. INTEGRATED GENDER AND DEVELOPMENT PROGRAM

- 4.1 The City Government of Ormoc 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 the GAD provision in the General Appropriations Act, Local Budget Memorandum on Internal Revenue Allotment of LGUs and Updated Budget Operations Manual for LGUs, series of 2008 and PCW-DILG-DBM-NEDA Joint Memorandum Circular No. 2013-01 "Guidelines on the Localization of the Magna Carta of Women as amended by PCW-DILG-DBM-NEDA Joint Circular 2016-01."
- 4.2 The City Government of Ormoc shall ensure that the Philippine Plan for Gender and Responsive Development (PPGRD) which was adopted through Executive Order No. 273 is implemented in relation to the services stated in R.A. 7160 or the Local Government Code of 1991 particularly Sections 16 and 17 and other related provisions thereof.
- 4.3 The City Government of Ormoc shall ensure that all barangays under its jurisdiction shall prepare a GAD plan and budget addressing gender concerns of their locality following Sections 16 and 17 of the Local Government Code of 1991 and other related provisions.

- 4.4 The City Government of Ormoc shall integrate gender concerns in the formulation of its Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP), Executive & Legislative Agenda (ELA) and Annual Investment Plan (AIP);
- 4.5 The formulation of the GAD plan shall follow the regular planning and budget calendar and shall, as far as practicable, be incorporated in the existing CDP, CLUP and AIP;
- 4.6 It is the responsibility of the City Planning and Development Coordinator to ensure that GAD Programs/Projects/Activities (PPAs) are integrated in the local planning process.
- 4.7 The City Government of Ormoc shall ensure the localization of the Magna Carta of Women as stated in the Joint Memorandum Circular (JMC) No. 2013-01 of the Philippine Commission on Women, Department of the Interior and Local Government Department of Budget and Management and National Economic and Development Authority.

SECTION 5. SUPPORT TO GENDER STUDIES/SURVEY. An adequate amount shall be allotted to gender-related documentation and researches which shall form part of the City's data-based programs.

SECTION 6. POPULARIZATION OF GENDER FAIR MATERIALS. There shall be an active promotion and publication of Gender Fair materials in popular forms in the City Government of Ormoc.

SECTION 7. INTEGRATED GENDER-RESPONSIVE AND ENVIRONMENT FRIENDLY ZONING PLAN. An Integrated Gender Sensitive and Environment-Friendly Zoning Plan for the City Government of Ormoc shall be established, taking into consideration the CLUP.

SECTION 8. 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.

SECTION 9. GENDER-RESPONSIVE NATURAL RESOURCES BASED MANAGEMENT PROGRAM. The City Government of Ormoc shall ensure that natural resources based management programs take into account the differentiated needs of women and men, girls and boys and that these differentiated needs are addressed equitably.

SECTION 10. ROLE OF WOMEN IN ENVIRONMENT IMPACT ASSESSMENT PROJECTS. The City Government of Ormoc shall promote and ensure the active role of women in environmental impact assessment projects.

SECTION 11. ADEQUATE BUDGET FOR SPECIAL PROGRAMS. The City Government of Ormoc shall ensure that funds are provided to implement special programs for women and children in extremely difficult circumstances.

SECTION 12. GENDER SENSITIVITY TRAINING FOR THE LUPONG TAGAPAMAYAPA. A special paralegal training for the Lupong Tagapamayapa shall be conducted in line with gender related issues and concerns.

SECTION 13. TRAINING IN NON-TRADITIONAL OCCUPATION. Women shall be given the opportunity to acquire training in and basic skills in non-traditional occupations such as, but not limited to those related to science and technology.

SECTION 14. EDUCATION ON GENDER-RELATED NATIONAL POLICIES.

Women and men shall undertake education on gender-related national policies and their implications on women and family.

SECTION 15. INTEGRATED DEVELOPMENT PROGRAM FOR WOMEN.

The City Government of Ormoc, through the IPGDO and the concerned sectors, shall develop a program that shall facilitate empowerment of women. Active support for the preservation of women's knowledge of the environment shall be incorporated in the program.

ARTICLE III

IMPLEMENTATION, MONITORING AND EVALUATION MECHANISMS FOR GENDER AND DEVELOPMENT PROGRAM

SECTION 16. CREATION OF ORMOC CITY COUNCIL FOR WOMEN.

Pursuant to the herein declared policy and objectives, the Ormoc City Council for Women shall be created to serve as policy recommending, program planning, project monitoring and coordinating body for all programs and activities on women within the jurisdiction of Ormoc City. It shall hereinafter referred to as The Council. It shall be composed of the following:

- Chairperson : City Mayor
Co-Chairperson : (Elected by the Council from the private sector representatives)
Members : Chairperson, SP Committee on Women and Family
Chairperson, SP Committee on Good Government
President, Liga ng mga Barangay
City Social Welfare & Development Officer (CSWDO)
City Health Officer (CHO)
City Planning and Development Coordinator (CPDC)
City Budget Officer (CBO)
City Population Officer (CPO)
Schools Division Superintendent (DepEd)
DILG City Director
Department of Labor and Employment Ormoc Head (DOLE)
PNP City Director or women's desk officer
At least three (3) representatives from NGOs or private sector with programs on gender and development or women empowerment
At least three (3) women representatives from women POs or barangay women associations
Secretariat : Gender and Development Section, IPGDO

The Council may increase its membership to include other agencies and organizations provided that at least 20% of its total membership shall come from the NGOs, POs and private sector. The Council may likewise invite, from time to time, representatives from pertinent national and local government agencies/offices and other relevant stakeholders for advice or consultation in their areas of expertise.

The City Mayor shall appoint the NGO/private sector representatives and the women representatives of the Council subject to the requirements under Section 61 of this Code, and whose term shall be coterminous with the term of the appointing authority.

The Council members shall elect the Co-Chairperson from women representatives of the NGO/private sector representation in the Council.

As much as practicable, the members shall attend personally the meetings of the Council. Council members may appoint his/her next-in-rank as an alternate representative.

SECTION 17. DUTIES AND FUNCTIONS OF THE COUNCIL. The City Council for Women shall perform the following functions:

- a. Formulate and approve the implementing rules and regulations of the provisions of this Code, when necessary;
- b. Engage more women to get involved in the social, civic and political activities of the local government to promote gender equality;
- c. Promote gender mainstreaming in the planning and implementation of local programs and projects;
- d. Review and endorse the GAD Plan, ensuring that at least 5% of the City Government's budget is for GAD; and that the City Government and the barangays come up with additional indicators and guidelines, when necessary, in identifying program, projects and activities that can be funded from the GAD fund;
- e. Recommend policies and legislations that are important for women's empowerment and gender mainstreaming efforts;
- f. Catalyze, coordinate, provide direction, monitor and serve as technical adviser on programs/projects on women/gender and development concerns within the city;
- g. Establish linkage with the Philippine Commission on Women, the Regional GAD Council, and other government bodies and institutions for synergy, complimentation and alignment of programs and projects;
- h. Formulate action plans for women and create committees to include social development, health, nutrition and environment, human rights, gender and policy advocacy and other local concerns.
- i. Review the mandated tasks per RA 7192 and RA 9710 and other relevant laws and Presidential directives on the course of action to be taken; and
- j. Review the City's annual accomplishments on gender and development especially on empowering the women.

SECTION 18. CREATION OF THE TECHNICAL WORKING GROUP (TWG) ON THE CITY GOVERNMENT'S GENDER AND DEVELOPMENT PROGRAM. The TWG serving as the Gender and Development Focal Point of Ormoc City Government is hereby created and shall be composed of the following:

Honorary Chairperson	: City Mayor
Executive Chairperson	: City Budget Officer
Members	: City Planning & Development Coordinator City Social Welfare & Development Officer (CSWDO) City Health Officer (CHO) City Accountant (OCA) Human Resource Management Officer (HRMO) Community Affairs Officer (PAIAD) City Population Officer (IPGDO) City Licensing Officer (BPLO) Secretary, Sangguniang Panlungsod
Secretariat	Gender and Development Section, IPGDO

The Council shall designate two NGO members of the Council to sit in the Technical Working Group as regular members.

SECTION 19. DUTIES AND FUNCTIONS OF THE TWG - The TWG shall be tasked with the following:



- a) Conduct a Gender-Responsive Planning Workshop and take the lead in preparing the LGU's Annual GAD Plan and Budget as well as other plans on women empowerment and gender and development;
- b) Prepare regular Accomplishment Reports and present to the Council for Women for approval, and submit to appropriate agencies/offices requiring the reports;
- c) Lead in the establishment of a sex-disaggregated database system and local situationer;
- d) Facilitate a Trainers' Training on GAD;
- e) Ensure that GAD programs, projects and activities are replicated at the barangay level;
- f) Coordinate the conduct of Gender-Sensitivity Training/Orientation for Local officials and employees;
- g) Serve as the technical committee of the City Council for Women and review technical matters that will be included in the agenda for the Council meetings;

SECTION 20. CREATION OF THE GENDER AND DEVELOPMENT (GAD) OFFICE AND ITS INTEGRATION AS A SECTION INTO THE INTEGRATED CITY POPULATION, GENDER AND DEVELOPMENT OFFICE (IPGDO). The Gender and Development Office is hereby created and pursuant to City Ordinance No. 011 also known as the "Ormoc City Population and Sustainable Development Ordinance of 2016," the GAD Office is integrated as a section under the Integrated Population, Gender and Development Office (IPGDO) which shall be under the administrative supervision of the City Mayor's Office. The GAD Office shall be responsible for the implementation of this Ordinance.

SECTION 21. FUNCTIONS OF THE CITY POPULATION OFFICE WITH AN INTEGRATED GENDER AND DEVELOPMENT OFFICE. This Office shall have the following functions to ensure consistency in the implementation of the provisions of this Ordinance:

- a. **Monitoring and Coordinative Functions.** These functions shall see through the realistic, measurable and tangible results of the implementation of the provisions of this Ordinance:
 - a.1 **Gender-Sensitive Watch.** A system of services and facilities in order to monitor status of women in the City of Ormoc wherein all departments and agencies of Ormoc City shall develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economy and policy-making. It shall collect gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative statistical performance from a gender perspective. It shall also serve as the data bank of Ormoc City on gender and development.
 - a.2 **Legal Aid Services Check.** A coordinated services from any legal actions needed by the women in protecting their rights shall be installed.
 - a.3 **Advocacy and Campaign Management.** A coordinated advocacy and campaign on all forms of discrimination and violence against women shall be programmed.
 - a.4 **Sustainable and Gender-Responsive Project Development.** A system of appraisals of project to determine sustainable impact on women and men, local economy, politics, culture and ecosystem.



- a.5 **Media Watch.** An active dialogue with tri-media representatives shall be undertaken by the Sangguniang Panlungsod Committee on Women's Welfare and Development Gos and NGOs to ensure the non-derogatory and non-discriminatory portrayal of women in media and film.
- b. **Regulatory Function.** This function shall include establishing protocols and standards relevant to the following concerns:
- b.1 **Education and training Benchmark.** Gender-sensitivity education and training for all departments and agencies of the Local Government of Ormoc City and at the barangay level shall be designed. Standards for contents of the course shall be established by the Office.
- b.2 **Psychological Support Program.** A holistic and indigenous approach to women with social dysfunctioning which includes attendance to their physical/biological, emotional, psychological and social needs shall be set up. Indicators of program success shall be established by the Office.
- b.3. **Early Childhood and Care and Development Program and Services.** Appropriate support services for women and children shall include daycare centers and services for infants and toddlers as prescribed in RA 6972 (Barangay-Level Development and Protection of Children Act) and the Ormoc City Revised Children Welfare Code. Indicators of quality of services shall be established by the Office.

It shall be involved in all the processes related to the conceptualization, development, assessment and evaluation of programs and projects of the Local Government of Ormoc City.

- c. Coordinate with different departments in the city government, barangays in Ormoc City, NGAs, private sector and other organizations for gender and development program;
- d. Provide administrative, secretariat and technical support to the Ormoc City Council for Women and the TWG;
- e. Engage and mobilize various sectors for gender programs and projects;
- f. Design capability building programs in relation to GAD;
- g. Conduct advocacy and communication programs in relation to GAD;
- h. Coordinate and assist CSWDO in assisting women and children especially in difficult circumstances and emergencies; and
- i. Monitor and evaluate the GAD programs of the city.

SECTION 22. COMPLIANCE REPORT. During the first session of the Sanggunian in March of each year, the Chairperson of the City Council for Women shall address the members of the Sanggunian to report on the accomplishments of the gender and development program and compliance with this Code. The said report shall consolidate the reports from various departments and offices in the City Government and integrating the major accomplishments of the barangays of Ormoc City.

**ARTICLE IV
HEALTH**



SECTION 23. STATEMENT OF POLICY. No woman shall be denied basic health 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 24. BUDGET FOR WOMEN'S HEALTH. An adequate amount of the health budget of the City Government of Ormoc shall be allocated for women's health and services.

SECTION 25. WOMEN'S RIGHT TO MATERNAL HEALTH. Women's decision to plan her pregnancy without necessarily resulting to abortion shall be given appropriate support and guidance by all health professionals, private and public and that the city government shall endeavor to implement the provisions of the Reproductive Health Law and shall provide adequate budget for procurement of family planning supplies and commodities. The City government, through the Gender and Development Section of the IPGDO shall exert efforts to sensitize, educate and mobilize men to take an active role in family planning and household management as well as supporting women empower themselves in making decisions especially on the matters of their health.

SECTION 26. ACCESS TO SAFE WATER. The City government shall endeavor to install appropriate water systems in all barangays to ease women's workload brought about by the lack of this facility.

SECTION 27. GENDER RESPONSIVE HEALTH CARE SERVICES. The City Health Department shall ensure that health care services are not discriminatory on account of gender, age or religion.

SECTION 28. REPRODUCTIVE HEALTH SERVICES. No hospital or medical facility operating within the territorial jurisdiction of the City of Ormoc shall deny reproductive health services to any woman by reason of the latter's poverty.

SECTION 29. REPRODUCTIVE HEALTH CARE DELIVERY. The City Government of Ormoc shall adopt the reproductive health (RH) care approach at all levels of health care delivery. Such approach integrates many issues not previously considered central to population: sexuality, reproductive tract infection, gender power relations and domestic violence and shall not be limited to family planning and child bearing. The City government shall enter into partnerships with hospitals to put up a young parents program ensuring that pregnant young women are afforded special care and provided education and counseling on options after delivering birth. The City Government shall also endeavor to establish teen centers to educate teen agers on reproductive health especially on risk behaviors and consequences of such risk behaviors.

SECTION 30. INFORMATION EDUCATION ON WOMEN'S HEALTH. The City Health Department, in collaboration with the City Health Board, shall endeavor to improve the implementation of education/information campaign on women's health, such as but not limited to the celebration of the international Day of Action for Women's Health every May 28 of each year.

SECTION 31. GENDER-RESPONSIVE CRISIS INTERVENTION UNIT. The City Government of Ormoc shall establish a Gender-Responsive Crisis Intervention Unit at all levels of health care, primary, secondary and tertiary and shall provide service trainings to all health and other allied personnel who shall be assigned in this unit.

SECTION 32. PROTECTION AGAINST DRUG ABUSE. A Task Force shall be created and sustained by the City Mayor for the protection against drug abuse and proliferation of illicit drugs in the City.

**ARTICLE V
EDUCATION AND TRAINING**

SECTION 33. STATEMENT OF POLICY. The City Government of Ormoc shall endeavour to improve access of women to technology-based education and training programs.

SECTION 34. WOMEN LITERACY AND ADULT EDUCATION. In coordination with the Department of Education and the Technology Education and Skills Development Authority (TESDA), non-formal education classes shall be held in identified schools in the city to facilitate working women's access to education. Any adult desiring to engage in functional and practical education shall be given priority in the adult education programs of the city government.

SECTION 35. WEEKEND CLASSES. In cooperation with the DepEd Non - Formal Education, classes for all shall be held in identified schools in the City to facilitate working persons access to education.

SECTION 36. GENDER-RESPONSIVE CURRICULAR PROGRAM. The City Government of Ormoc shall promote gender equality in all schools at all levels in the city. It shall prevent all forms of gender-based discrimination in schools and promote the use of gender-fair language especially in educational materials and school curriculum.

SECTION 37. SPECIAL EDUCATION FOR WOMEN WITH DISABILITY. The City Government of Ormoc shall ensure that all interested women with disabilities shall have access to special education programs.

SECTION 38. SCHOLARSHIP PROGRAM. The City Government of Ormoc shall include poor and indigent married women, solo-parents and mothers with infants/children in its educational scholarship programs. The City government shall institutionalize its scholarship program and institute the Study Now-Pay Later (SNPL) Plan.

SECTION 39. MONITORING AND REPORTING OF STEREOTYPED PORTRAYAL OF ROLES OF WOMEN AND MEN IN EDUCATIONAL MATERIALS. The IPGDO shall coordinate closely with the DepEd Division Office, Colleges and other network of schools in monitoring and reporting of stereotyped portrayal of roles of women and men as projected in education materials.

SECTION 40. LIVELIHOOD AND SKILLS TRAINING FOR WOMEN. The City Government shall endeavor to provide preferential treatment to women on livelihood programs and shall ensure that women are provided opportunities to acquire special technical or vocational skills through the courses in the Ormoc City Manpower Training Center. The said Center shall ensure equal opportunities for women and men in the courses offered, and where practicable, shall hold exclusive classes for women students on those tagged as traditionally-male courses, to create a friendly environment for learning among women. The City Government shall look into the welfare of the women solo parents ensuring that they are provided opportunities such as scholarship support for skills acquisition and financial assistance for livelihood.

**ARTICLE VI
LABOR, EMPLOYMENT AND ECONOMIC OPPORTUNITIES**



SECTION 41. STATEMENT OF POLICY. The City Government of Ormoc shall ensure that all its departments and offices shall engage in and expand their socio-economic programs to include women as beneficiaries, and implement programs and projects designed to empower and provide them with access to medium and large scale economic opportunities.

SECTION 42. EQUAL ACCESS TO EMPLOYMENT AND TRAINING PROGRAMS. No one shall be denied employment opportunity on account of gender, sex, age, ethnicity, creed, religion or civil status, as prescribed in the Labor Code, and as amended by RA 6725.

SECTION 43. WAGES AND BENEFITS. Every employer shall comply with the minimum wage as prescribed by the Regional Tripartite and Wages Productivity Board (RTWPB) and shall grant all benefits to all employees as provided by law.

SECTION 44. FACILITIES AND SUPPORT SYSTEM TO EMPLOYEES. The City Government of Ormoc shall ensure the safety and health of women in appropriate cases, to wit:

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

SECTION 45. EMPLOYMENT OPPORTUNITIES TO WOMEN WITH DISABILITIES. The City Government of Ormoc in partnership with appropriate national government agencies, private organizations and other entities shall provide employment opportunities to women with disabilities, recognizing their differentiated conditions and potentials as human beings.

SECTION 46. HEALTHY AND GENDER-FAIR WORK ENVIRONMENT. The City Government of Ormoc shall ensure that the workplace, private or public, actualizes the principle of equality between women and men in all aspects of their employment.

SECTION 47. HEALTHY WORK ENVIRONMENT. Employers are required to provide seats for women and permit them to use such seats during working 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 respirator mask, sanitary gloves, etc. required to perform their functions.

SECTION 48. ORIENTATION ON SEXUAL HARASSMENT. All local offices, school, agencies and establishments or companies, government and private, in Ormoc City shall conduct or sponsor orientation on sexual harassment for their respective personnel.

SECTION 49. GENDER -RESPONSIVE PHYSICAL PLAN. The City Government of Ormoc shall promulgate policies to promote gender -responsiveness in the physical plan and design of the workplace.

SECTION 50. GENDER AND DEVELOPMENT (GAD) ORIENTATION TRAINING. All schools, offices, establishments or companies, department and agencies including city and barangay officials shall initiate gender sensitivity or GAD orientation/training to provide all concerned with theoretical and practical knowledge on gender issues and concerns.

SECTION 51. SETTING UP GRIEVANCE MACHINERY. A grievance committee shall be set up in all local offices, agencies, schools, establishments or companies to act on complaints related to sexual harassment and others subject to the guidelines issued by the Council for Women. For this purpose, a grievance procedure must be installed in every agency, office or establishment.

SECTION 52. MONITORING SYSTEM FOR LABOR STANDARDS. The Council for Women shall install a mechanism to monitor all offices, agencies and establishments or companies violating the relevant provisions in the Labor Code, the provisions of this Code and other relevant laws and regulations.

SECTION 53. EMPLOYMENT ASSISTANCE PROGRAM. The City Government of Ormoc, in cooperation with the Department of Labor and Employment, shall endeavor to assist poor students, the unemployed and the underemployed (especially women) in securing gainful employment.

SECTION 54. LIVELIHOOD ASSISTANCE PROGRAM. The City Government of Ormoc shall endeavor to assist women in their productivity skills, capability building and livelihood assistance as a way to help them earn a living.

SECTION 55. REPRODUCTIVE HEALTH SERVICES. Establishments within the City as well as labor-intensive establishments shall provide access to reproductive health services to workers regardless of sex and civil status.

SECTION 56. WORKERS IN ENTERTAINMENT INDUSTRY. Persons working in the entertainment industry shall receive minimum wages and benefits accorded to workers and shall render services only in the place of work as specified in the business permit of the establishment concerned.

SECTION 57. CITY-WIDE REGISTRATION OF HOUSEHELPERS - The Public Employment Service Office (PESO) shall come up with an annual survey of domestic helpers to monitor cases of harassments, abuses and maltreatment. Households shall be required to enlist their househelpers for identification and for other purposes. Employers shall provide their household helpers recreation/dayoff. The Council for Women shall come up with implementing rules and regulations to enforce this provision.

**ARTICLE VII
SOCIO-ECONOMIC BENEFITS FOR WOMEN**

SECTION 58. PATRONIZING AND PROMOTION OF LOCALLY MADE OR PRODUCED PRODUCTS - Whenever the City Government of Ormoc or any other government agencies or offices located in the city will host, sponsor, initiate a meeting, seminar, symposium within the territorial limits of Ormoc City, the organizers shall coordinate with IPGDO and CSWDO for the display of locally made or produced delicacies/foods of any of the accredited women's group for business purposes. The City Council for Women shall issue supplemental guidelines to implement this provision.

SECTION 59. EQUALITY IN CAPACITY TO ACT AND ENTER INTO CONTRACTS- Women who are not legally incapacitated shall have the right to enter into contract shall have the capacity to act and enter into contracts which shall in every respect be equal to that of men under similar circumstances. In all contractual situations where married men have the capacity to act, married women shall have equal rights.



SECTION 60. ENTERPRISE AND RESOURCE DEVELOPMENT PROJECTS AND ACTIVITIES. The City shall establish Social Enterprise Resource and Development Unit (SERDU) under the GAD Section of the IPGDO and shall assign a staff with the following task and functions:

- a) The office shall serve as the main processing and releasing of all livelihood assistance to women beneficiaries;
- b) The office shall formulate schemes/policies in determining/screening of beneficiaries and its Return of Investments (ROI);
- c) Ensure the involvement of women in discussion and Planning Implementation, Monitoring and Evaluation of livelihood Programs, Projects and Activities;
- d) Promote and market the beneficiaries' products;
- e) Provide incentive schemes (streamlined business permit processing, subsidies to women micro entrepreneurs, tax incentives etc.) in coordination with the BPLO;
- f) Ensure the conduct of continuing education to all beneficiaries like GST, Financial Literacy, Simple Bookkeeping and Management;
- g) Link and network to access greater credit and market and encourage inter-business collaboration with resource institution and private sector;
- h) Raise women's educational achievement, develop and encourage micro enterprise;
- i) Assist beneficiaries to enter into joint venture arrangements with the private sector;
- j) Assist WMEs in securing business permits and license and social insurance;
- k) Assist women's groups in registration with DOLE, SEC, DTI and accreditation with the LGU; and
- l) Facilitate the conduct of regular business opportunity forums.

**ARTICLE IX
RURAL WOMEN'S RIGHTS**

SECTION 61. PROMOTION OF LAND-BASED PROJECTS - The City Government through the City Agriculture Office and other partner agencies and institutions shall support women engaged in crop and livestock production projects to ensure food security by using appropriate technology.

SECTION 62. CONTINUOUS PRODUCTION AND SUPPLY OF INDIGENOUS RAW MATERIALS. The City Agriculture Office, in partnership with duly registered POs and NGOs, shall support the continuous production and supply of vital raw materials to sustain the resource-base economic projects of the City.

SECTION 63. ACCESS TO SCIENCE AND WOMEN-FRIENDLY ALTERNATIVE TECHNOLOGY EDUCATION- The City Government, in cooperation with the DA, EVSU, DOST, DTI, TESDA and other related line agencies, shall establish a science and women friendly alternative technology education for rural women in identified potential barangays of the city.

**ARTICLE X
POLITICAL AND PUBLIC SPHERE OF WOMEN AND CHILDREN**

SECTION 64. STATEMENT OF POLICY. The City Government of Ormoc shall ensure the fundamental equality before the law of men and women and their active participation in the development process.



SECTION 65. MARCH AS WOMEN'S MONTH AND OBSERVATION OF MARCH 8 AS WOMEN'S DAY. As mandated by law, the month of March is hereby recognized as International Women's Month with March 8 of each year to be observed as National Women's Day. The Council for Women shall come up with a month's schedule of activities, and shall mobilize the various stakeholders to join in the observation of women's day and women's month, and ensure that activities increase the level of awareness and consciousness among women and other sectors on the issues affecting women.

The Council shall also plan on the observance of the 18-Day Campaign to End Violence against Women scheduled every November 25- December 12 of each year, the International Day of Rural Women on October 15, World day against trafficking in persons on July 30, and other events that are relevant to the advocacies of women.

SECTION 66. COMMUNITY BASED WOMEN'S ORGANIZATIONS. The City Government of Ormoc through the IPGDO shall exert efforts to help and facilitate the formation of community-based women's organizations and assist women NGOs and community-based women's organizations in their accreditation with the Sangguniang Panlungsod as among the duly recognized people's organizations in Ormoc City.

Women organizations with mass membership at the community level shall be represented at the Council for Women. Women groups in schools, offices whether GO, PO or NGO shall likewise be represented in the Council as a cluster. Details of the Council's operation shall be stipulated in the Implementing Rules and Regulations of this Code.

SECTION 67. PARTICIPATION OF WOMEN IN LOCAL GOVERNANCE. To widen and enhance participation of women in local government decision-making and administration, the City Government of Ormoc shall ensure that women are duly represented in the City Development Council and in all Local Special Bodies in the city and in all sectoral planning committees. The endorsement of the City Council for Women is a necessary condition for the appointment of women representatives to all special bodies and sectoral planning committees.

SECTION 68. WOMEN'S CONGRESS. The City Government of Ormoc through the City Council for Women shall hold and convene a City Women's Congress at least once a year to review women's development in all aspects of community life and make appropriate recommendations for actions thereon.

SECTION 69. INTERNATIONAL DAY OF ACTION FOR WOMEN'S HEALTH. The City Government of Ormoc shall ensure the celebration of the International Day of Action for Women's Health every year, where issues and concerns relative to the protection and promotion of women's health shall be examined, deliberated, projected and government action sought.

SECTION 70. CONSULTATION WITH RURAL WOMEN. The City Government shall ensure that the rural women sector is consulted and their perspectives and issues considered in the development of plans, programs and projects.

**CHAPTER II
PROHIBITED ACTS, SUPPORT SERVICES**

**ARTICLE I
VIOLENCE AGAINST WOMEN**

SECTION 71. ACTS OF VIOLENCE AGAINST WOMEN. As stated in R.A. No. 9262, any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had sexual or dating relationship, or with whom he has a common child, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. The crime of violence against women is committed through any of the following acts:

- (a) Causing physical harm to the woman or her child;
- (b) Threatening to cause the woman physical harm;
- (c) Attempting to cause the woman physical harm;
- (d) Placing the woman in fear of imminent physical harm;
- (e) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or to desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or her child. This shall include, but is not limited to, the following acts committed with the purpose or effect of controlling or restricting the woman's or her child's movement or conduct:
 - (1) Threatening to deprive or actually depriving the woman or her child of custody or access to her/his family;
 - (2) Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;
 - (3) Depriving or threatening to deprive the woman or her child of a legal right;
 - (4) Preventing the woman in engaging in any legitimate profession, occupation, business or activity, or controlling the victim's own money or properties, or solely controlling the conjugal or common money or properties;
- (f) Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;
- (g) Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or through intimidation directed against the woman or her child or her/his immediate family;
- (h) Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial emotional or psychological distress to the woman or her child. This shall include, but not be limited to, the following acts:
 - (1) Stalking or following the woman or her child in public or private places;
 - (2) Peering in the window or lingering outside the residence of the woman or her child;
 - (3) Entering or remaining in the dwelling or on the property of the woman against her will;
 - (4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or her child; and
 - (5) Engaging in any form of harassment or violence;

- (i) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of minor children or denial of access to the woman's child/children.

SECTION 72. SEXUAL ABUSE. Sexual Abuse shall include but is not limited to the following:

RAPE

- a) When a man inserts or attempts to insert his penis into the mouth or anus of a woman against her will or under any of the following situations;
- 1) Through force, threat, or intimidation;
 - 2) When the offended party is deprived of reason or otherwise unconscious;
 - 3) By means of fraudulent machinations or grave abuse of authority; and
 - 4) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.
- b) 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 woman against her will or under any of the foregoing circumstances.
- c) When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in the preceding paragraphs or through any abnormal, unusual or ignominious sexual acts;
- d) Any intentional contact however slight of one's penis to the genital, mouth, breast, anus of a woman, or to any part of her body other than her sexual organ, or the use of any instrument or object which touches the genital, breast or anus of a woman against her will or under any of the foregoing circumstances;
- e) Forced sexual act committed under intimate or marital relations such as those between man and woman, woman and woman, man and man relations, married or unmarried, legally separated or separated in fact.

PROSTITUTION

- f) When a person, association, cult, religion or organization or similar entities to commit the following acts:
- 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.
 - 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.
 - solicit, enlist, or attract/induce any woman to join any club association or organization whose objective is to match women for marriage to foreigners either on mail-order basis or through personal introduction or cyberspace.
 - use the postal services, cyberspace or satellite TV to promote the above-mentioned prohibited acts.

TRAFFICKING

- g) When a person buys or sells a woman, or any of her body parts.
- h) When a person threaten or use violence and force a woman to become a mail-order bride
- i) When a person offers or contracts marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;
- j) When a person undertakes or organizes tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;

SECTION 73. PSYCHOLOGICAL/EMOTIONAL ABUSE. Any intentional act that causes or is likely to cause mental or emotional suffering or which forces the victim to perform an act against his/her will such as but not limited to the following:

- a) Threats of suicide if the victim will not give in to the demands of the offender;
- b) Threats of grave physical harm against the victim or his/her family;
- c) Punching, breaking or defacing or otherwise destroying the house or any part thereof or the personal belongings of the victims;
- d) Threatening to kidnap the victim's children or to take them to a foreign country;
- e) Threatening deportation of the victim with foreign citizenship;
- f) Forcing the victim to do things he/she considers as dehumanizing or degrading;
- g) Controlling the victims lawful or usual activities;
- h) Use of false and insulting words, language, or statements against the victim;
- i) Threats of abandonment and expression such as forcing the victim to leave the conjugal dwelling;
- j) Shouting invectives against the victim and other forms of verbal abuse intended to or causing the public humiliation or ridicule of the victim.
- k) Any intentional and malicious transmission, alteration, deletion, manipulation, or deterioration of computer data such as but not limited to electronic documents, electronic messages, electronic images and videos, or combinations thereof, posted or shared in cyberspace or transmitted to third parties thru electronic means, intended to or causing the public humiliation or ridicule of the victim.

SECTION 74. ECONOMIC VIOLENCE. This includes deprivation of women of economic resources, their means of income generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination.

SECTION 75. DOMESTIC VIOLENCE AS AN AGGRAVATING CIRCUMSTANCE. When any of the acts defined under this Chapter is committed by a member of the family of the victim or offended party within the 4th civil degree of consanguinity or affinity, the same shall be considered as an act or acts constituting Domestic Violence and shall be punished with the maximum penalty or fine imposable under the R.A. 7160, or both, at the discretion of the court. 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.

SECTION 76. SEXUAL SOLICITATION. It is unlawful for any person to solicit another person's services for acts which are sexual in nature regardless of whether the solicitor profits or not from such acts, or whether such solicitation is done on behalf of another, or as a habitual activity or whether or not the sexual act is fully consummated.

SECTION 77. COMMODIFICATION OF PERSONS. Any raffle draw, benefit or disco dance or any similar undertaking wherein persons, regardless of age, are used as incentive, raffle prize, substitute for cash prizes won, or as a companion package for an award, prize or recognition, or any other activity which depicts such persons as central, partial or special focus in order to raise funds shall be prohibited.

Any activity or form of beauty contest which tends to commodify or exhibit women and men in a sexually suggestive manner shall be strictly prohibited within the territorial jurisdiction of Ormoc City. For this purpose, the City Council for Women and the City Council for the Welfare of Children are hereby mandated to jointly draft and promulgate the guidelines that shall be adhered to in the conduct or staging of beauty contests.

Organizers of shows or events cited in this section found to be willfully violating this provision shall be liable to pay a fine of not exceeding FIVE THOUSAND (P5,000.00) PESOS per show and event organized or imprisonment of not exceeding one (1) year or both subject to the sound discretion of the court.

ARTICLE II
SUPPORT SERVICES FOR VICTIMS OF VIOLENCE AGAINST WOMEN

SECTION 78. SUPPORT FROM THE LAW ENFORCER. The law enforcer, preferably of the same sex or his/her authorized alternate as the offended party, upon receipt of a complaint for the acts committed in Chapter II, shall:

- a. immediately conduct an investigation within 24 hours;
- b. arrange for counselling and medical services for the offended party;
- c. gather evidence for the arrest and prosecution of the offender; and
- d. make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper to the proper prosecution office within 36 hours from time of filing, regardless of his/her evaluation of the case.

SECTION 79. WOMEN AND CHILDREN PROTECTION DESKS (WCPD). The City Government of Ormoc, through the City Police Office, shall establish and maintain the WCPDs preferably handled by Women Police Officers duly trained by GAD personnel. All police stations in Ormoc City shall have WCPDs to specifically handle concerns of women and children. All police stations in the City of Ormoc shall have separate WCPD room within the police station.

SECTION 80. SUPPORT PROGRAMS TO WOMEN AND CHILDREN WHO ARE VICTIMS OF VIOLENCE. The City Government of Ormoc shall provide immediate support services to women and children who are victims of violence, to include but not limited to legal, medical, psychological, shelter, livelihood, and other forms of support services. These services shall be provided by the CSWDO in coordination with other involved agencies.

SECTION 81. ROLE OF FEMALE POLICE OFFICER. Complaints of battering and other forms of abuse against women and children shall be handled by female officers in the local police who shall undergo special courses on handling such cases.

SECTION 82. COURT HEARING OF RAPE CASES, INCEST AND OTHER FORMS OF VIOLENCE AGAINST WOMEN AND CHILDREN. All investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor's office and trial courts shall recognize and allow the victim's support group to be present in the court room as observers and to provide moral support to the survivors subject of litigation.

SECTION 83. THE FAMILY DISPUTES AND VIOLENCE COMMITTEE. All Barangay Governments in the City shall create the Family Disputes and Violence Committee inside the Lupong Tagapamayapa to handle cases on family disputes.

SECTION 84. WOMEN AND CHILDREN'S WELFARE. The Women and Children's Welfare is hereby established under the Ormoc City Social Welfare and Development Office to cater to problems and concerns of depressed families especially those affected by natural and human-induced calamities.

SECTION 85. SHELTER FOR ABUSED WOMEN AND CHILDREN. The City Government of Ormoc shall establish a shelter for abused women and their children to ensure that those who are victims of violence attain justice and healing. This shelter may also serve as crisis intervention center to provide a temporary shelter with appropriate support services for women in crisis and their children. The City Council for Women shall define or identify conditions or situations for women to be considered in crisis.

SECTION 86. INVOLVEMENT OF MEN IN THE ADVOCACY ON ANTI-VIOLENCE AGAINST WOMEN. Violence against women is perpetrated largely by men. Ideas and behaviors linked to masculinity or manhood are highly influential in some men's use of violence against women. Further, men have a positive and vital role to play in helping to stop violence against women. For this reason, the City of Ormoc, through the IPGDO in cooperation with the CSWDO, Council for Women, and other agencies concerned, shall involve boys and men in order to decrease the instances of violence against women. The said agencies shall develop programs that will enlighten or inform boys and men alike about the repercussions of any violence done against women.

**ARTICLE III
OTHER SUPPORT SERVICES FOR WOMEN**

SECTION 87. WOMEN AFFECTED BY DISASTERS, CALAMITIES, AND OTHER CRISIS SITUATIONS. In disaster, calamities and other crises, the City Government of Ormoc and the agencies concerned in all phases of relief, recovery, rehabilitation and reconstruction efforts shall:

- a) Ensure a more coordinated and gender-sensitive culturally-appropriate response in all stages of the emergency;
- b) Timely, adequate and culturally-appropriate provision of relief goods and services such as food, water, sanitary packs, psychosocial support, livelihood, education and comprehensive health services at the early stage of the crisis;
- c) Proactive adoption of measures by camp managers to prevent sexual violence in evacuation centers and relocation sites which include: (a) security and safety of women and children as key criteria for the selection of evacuation sites, (b) separate functional and well-lit latrines for men and women with locks, (c) bathing facilities with privacy, (d) regular security patrols preferably by female police officers; and (e) prohibition of alcohol, drugs and gambling, among others; and

- d) Strengthen meaningful participation and representation of women in disaster risk reduction and management (DRRM) councils and processes, DRRM-related programs, projects and activities.

SECTION 88. WOMEN IN SPORTS. The City Government of Ormoc shall establish and strengthen programs for the participation of women and girl-children in competitive and non-competitive sports as means to achieve excellence, promote physical and social well-being, eliminate gender-role stereotyping, and provide equal access to the full benefits of development for all persons regardless of sex, gender, and other similar factors.

SECTION 89. INTER-AGENCY COUNCIL AGAINST TRAFFICKING IN PERSONS. The City Council for Women shall assume the powers and functions of the Inter-Agency Council against trafficking in persons to wit:

- a. formulate a comprehensive program to suppress the trafficking of men, women and children;
- b. conduct massive information campaigns;
- c. undertake guidance and counseling for women going abroad as fiancées of foreign nationals;
- d. make representations to schools and colleges for the inclusion of migration and its implications for all in all levels of curricula;
- e. refer trafficking victims to appropriate agencies;
- f. formulate a program for returning victims in cooperation with local offices of DOLE, TESDA and other government agencies involved in training and livelihood development;
- g. secure assistance from any of the local government units, departments or bureaus of the National government;
- h. exercise other powers and functions necessary to attain its purposes and objectives.

SECTION 90. CONTINUING EDUCATION AGAINST SEXUAL HARASSMENT. To foster a culture against sexual harassment, all government or private agencies and offices within the jurisdiction of the city shall conduct continuing education against sexual harassment. For this purpose, the City Council for Women shall ensure that:

- 90.1 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.
- 90.2 The provisions of RA 7877 otherwise known as the Anti-Sexual Harassment Law, Civil Service Commission Memorandum Circular No. 17 Administrative Disciplinary Rules on Sexual Harassment Cases in the Civil Service 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.
- 90.3 Monitoring and assessment tools are in place to ensure compliance to relevant laws on sexual harassment.

SECTION 91. LEGAL EDUCATION AND COUNSELING. The City Legal Office shall (a) in coordination with the CSWDO and concerned government organization (GOs), 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 in resolving cases of family conflicts at the barangay level; and (b) in partnership with the Liga ng mga Barangay and other non-government organizations (NGOs), undertake a special para-legal training on gender issues and related matters for members of the Lupong Tagapamayapa for all barangays in the city.

SECTION 92. SUPPORT FACILITIES TO WOMEN AND THEIR CHILDREN IN DETENTION. The City Government of Ormoc shall assist the concerned National Government Agency in the establishment of appropriate structure and facilities for detention and rehabilitation for women and care for their children.

SECTION 93. THE REFERRAL PATHWAY SYSTEM FOR GENDER-BASED VIOLENCE - The City Council for Women shall review and strengthen the referral pathway system for gender based violence and shall recommend to the City Mayor the reconstitution of the Ormoc City Referral Pathway Core Team that shall perform the following functions and responsibilities:

- a) Ensure that a standard referral pathway system shall be implemented;
- b) Conduct meetings and case conferences with agencies within the referral network on operational issues and concerns;
- c) Ensure that the referral pathway system is carried out and observed properly even in the barangays and other stakeholders; and
- d) Conduct monitoring and evaluation on the implementation of the Referral Pathway System.

**CHAPTER III
FINAL PROVISIONS**

SECTION 94. APPROPRIATION. At least five percent (5%) of the total budget appropriations authorized under the annual appropriation ordinance shall correspond to activities supporting GAD plans and programs. The GAD budget shall be drawn from the city's maintenance and other operating expenses (MOOE), capital outlay (CO), and personal services (PS).

SECTION 95. IMPLEMENTING RULES AND REGULATIONS. The City Mayor, through the assistance and recommendation of the City Council for Women, shall formulate the implementing rules and regulations necessary to carry out the provisions of this Code. The IPGDO shall serve as secretariat and ensure that the Council shall be convened immediately after the passage of this Code to facilitate the formulation of the implementing rules and to submit this to the City Mayor within 90 days from effectivity.

SECTION 96. REVIEW. The City Council for Women shall review this ordinance five years after the enactment to ensure responsiveness and relevance to the evolving/emerging gender issues and concerns and shall recommend to the Sanggunian those matters that require legislation.

SECTION 97. REPEALING CLAUSE. Ordinance No. 181 series of 2013 is hereby expressly repealed. All other local ordinances, resolutions, circulars, memoranda, or rules, rules and regulations inconsistent with the provisions of this Revised GAD Code are hereby repealed and modified accordingly.

SECTION 98. 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 99. SUPPLEMENTARY CLAUSE. On matters not provided 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.


SECTION 100. EFFECTIVITY CLAUSE. This code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under RA 7160 otherwise known as the Local Government Code of 1991.

ENACTED, March 03, 2017.

RESOLVED, FURTHER, to furnish copies of this Ordinance each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the Acting City Legal Officer, Atty. Marcelo C. Oñate; the CSWD Office; the City Health Department; the City Planning & Development Office; the City Budget Office; the City Population Office; the DepEd Office; the DOLE Office; the PNP City Director; the Liga ng mga Barangay; the City Accounting Office; the Human Resource Management Office; the Community Affairs Office; the City Permits & Licensing Office; the OIC-City Director, DILG; other offices concerned;

CARRIED by Eight (8) Affirmative Votes. SP Member Benjamin S. Pongos, Jr., was out of the Session Hall at the time of the voting.


I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


ROLANDO M. VILLASEÑICO
(OIC-City Vice Mayor & Temporary Presiding Officer)
SP Member, Majority Floor Leader

APPROVED:


RICHARD I. GOMEZ
City Mayor

08 MAR 2017
(Date)