



Republic of the Philippines
Province of Davao del Sur
MUNICIPALITY OF MAGSAYSAY
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OFFICE OF THE SANGGUNIANG BAYAN

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Authored and Sponsored by : Honorable CHONA D. SENG, *SB Member*

Co-Sponsored by : Hon. ALLAN P. CARAMPATANA , *SB Member*
Hon. ROBERTO B. AMBAYAN, *SB Member*
Hon. RONIE L. SARANDE, *SB Member*
Hon. VEVENCIO C. LAGANSE, *SB Member*
Hon. SILVERIO C. TORATE, *SB Member*
Hon. RAFFIE S. REDOBLADO, *SB Member*
Hon. FRANCISCO E. JOSE, JR. , *SB Member*
Hon. ALEXANDER L. COSSID, *SB Member/ ABC Pres.*
Hon. BERNARDO M. SANGGAY, *SB Member/IPMR*

GENDER AND DEVELOPMENT (GAD) CODE OF THE MUNICIPALITY OF MAGSAYSAY PROVINCE OF DAVAO DEL SUR

Be it enacted by the Sangguniang Bayan of Magsaysay, Davao del Sur in session assembled that:

CHAPTER I GENERAL PROVISIONS

ARTICLE I TITLE, STATEMENT OF PRINCIPLES AND DEFINITION OF TERMS

Section 1.Title.- This Ordinance shall be known and cited as the "**GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF MAGSAYSAY.**"

Section 2. A. Statement of Principles.

- (1) The Municipality of Magsaysay supports the national and international recognition of women as full and equal partners of men in development and nation building, sharing equality in their responsibilities and enjoying equally in the fruits thereof. The municipality further upholds the rights of women, believe in their worth and protect their dignity as human beings. It undertakes to enhance women's full potentials, uplift their status and lead to the improvement of their quality of lives. Towards this end, it shall pursue and implement gender-responsive development policies; design an integrated gender and development support system and interventions; and ensure that all forms of discrimination of women and children be monitored and addressed;
- (2) In the pursuit of Gender and Development (GAD), the Municipality, in its commitment to the establishment of a national and international order based on sustainable, equitable and inclusive growth, shall undertake gender mainstreaming at all levels, thereby assuring full development of women's potentials and promotion of women empowerment and self-determination to enable the local women including the women of indigenous cultural communities in conformity with the existing customary laws, become active agents and participants of development, and not just mere beneficiaries; further enabling them to make independent decisions based on their own views and perspectives; and furthermore allowing them to fully and equally make use of available information, technology, goods, services and resources;
- (3) Relative thereto, the Municipality shall continue to work towards the strengthening of its continued partnership with Non-Government Organizations (NGOs), People's Organizations (POs), Private Sector (PS) and charitable institutions and foundations that advocate Gender Equality, Sexuality, and Reproductive Health;
- (4) The Municipality shall also involve the barangays in the formulation of the Municipality's GAD Plan through the continuing conduct of consultative meetings with the barangay officials and the barangay residents for the purpose of fully integrating GAD concerns into the whole development process, and mainstreaming and institutionalizing Gender and Development;

Moreover, the Municipality specifically re-affirms its commitment to promote and protect the following rights of women and children, to wit:

- a. 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. Right to freely and fully participate individually or collectively in the political processes of their communities and nations;
- c. Right to the means for assuring their economic welfare and security;
- d. Right to the necessary knowledge and means for the full exercise of their respective choices according to their beliefs and preferences;
- e. Right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children;
- f. Right to an adequate, relevant and gender fair education throughout their lives, from childhood to adulthood;
- g. Right to adequate nutrition and proper health care;
- h. Right to humane living condition;
- i. Right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality;
- j. Right to equality before the law in principle as well as in practice.

B. Policy Directions. - To carry out the foregoing policies, the Municipality of Magsaysay undertakes to formulate programs, projects and strategies, among others, that will:

1. Bolster the implementation of all subsisting moral, national, international, general, as well as special statutes, rules and regulations, memoranda, circulars, and other issuances promoting Gender Equality, Sexuality, Reproductive Health, and Reproductive Rights;
2. Mainstream gender concerns in the formulation of sectorial development plans, policies, and activities;
3. Intensify subsisting gender-sensitivity awareness campaigns and programs on gender issues and concerns;
4. Strengthen GO-PO-NGO-PS cooperation to maximize the effectiveness of programs and services addressing Gender and Development concerns;

5. Support, encourage and expand the participation of grassroots women including the women of indigenous cultural communities in planning, implementation, monitoring, and evaluation of development programs;
6. Recommend appropriate curricula that are gender-sensitive at all academic levels;
7. Provide gender responsive relief and rehabilitation programs with special focus on women's and children's needs;
8. Involve men in family planning programs, health and child care and nutrition concerns and engage them in projects that will enhance the well-being of the family;
9. Educate the human resources of commercial establishments, schools, other government agencies and the local mass media and advertising agencies so that they will promote gender sensitivity in their respective fields of endeavor;
10. Set up crisis intervention centers and shelters in the Municipality of Magsaysay for victims of violence against men, women and their children and other social conflicts especially the survivors of Violence Against Women and their Children (VAWC);
11. Reinforce family values and rid the family of all forms of gender inequalities and violence arising from Gender Role Stereotyping;
12. Establish capability-building programs among women in the locality so as to enable them to gain confidence to participate in the community projects and even in making their opinions heard by the decision-making bodies;
13. Establish the necessary mechanisms to enable indigenous women to participate in development programs and gain access to non-traditional sources of livelihood, credit financing, productive skills and labor saving technologies.

Section 3. Definition of Terms. - For purposes of this ordinance, the following terms shall mean:

3.1) Access – opportunity for use: the opportunity or right to experience or make use of something.

3.2) Acts of Lasciviousness – acts that are lascivious in nature, which include but are not limited to intentional touching, either direct or through clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks; or the introduction of any object into the genitalia, anus or mouth of a woman with an intent to abuse, humiliate, harass, degrade or arouse or gratify the sexual desire of any person, bestiality, masturbation, lascivious exhibition of the genital or public area of a person, etc.

3.3) Assault –an attempt or threat to inflict injury upon a woman when coupled with an apparent present ability to do so and any intentional display of force such as would give her reason to fear or expect immediate bodily harm. It may be committed without actually touching, striking, or doing bodily harm to her.

3.4) 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 common-law 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.

3.5) Benefit Dance/ Disco – refers to a dance in the locality where women are commoditized for fund raising purposes.

3.6) Bisexual – one who is sexually attracted to both men and women, or engaging in both heterosexual and homosexual activity; having both male and female characteristics; having male and female reproductive organs.

3.7) Child – a person below 18 years of age or over, but is unable to fully take care of himself/herself or protect himself/herself from abuse, neglect, cruelty, exploitation or because of a physical or mental disability or condition. (R.A. 9775 Section 3. Definition of Terms)

3.8) Child Pornography – refers to any representation, whether visual, audio or written combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means of a child engaged or involved in real or simulated explicit sexual activities. RA 9775) (RA 7610).

3.9) Coercion:

3.9.1) Grave Coercion – an act of violence, threat or intimidation done by any person who, without any authority of law, prevents a woman from doing something not prohibited by law, or compels her to do something against her will, whenever it be right or wrong.

3.9.2) Light Coercion – an act committed by any person who, by means of violence, shall seize anything belonging to a woman debt or for the purpose of applying the same to the payment of debt.

3.10) Commoditization of persons – is a practice which puts men, women and children in a subordinated situation resulting in their treatment as objects of consumption. As such, they are reduced to a commodity.

3.11) Concubinage- an act of keeping a mistress in the conjugal dwelling, or shall have sexual intercourse, under scandalous circumstances, with a woman who is not a wife, or shall cohabit with her in any other people.

3.12) Differently-abled – are those suffering from restriction or different abilities, as result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.

3.13) Domestic Workers or Kasambahay – refers to any person engaged in domestic work within an employment relationship such as, but not limited to the following; general house help, nursemaid or “yaya”, cook, gardener, laundry person, but shall exclude any person who performs any domestic work only occasionally or sporadically and not on an occupational basis.

3.14) Economic Abuse – denial or access/control over economic resources. This includes but is not limited to: denial or withdrawal of financial support, prohibiting the woman to get a job to support the family while her partner refuses to get a job of his own, control over conjugal finances, using family money for his vices, destroying household property and other abuses that pertain to economic conditions.

3.15) Forced labor and like practices – an act of extracting of work or services from a women, or the appropriation of the legal identity or physical person of a woman by means of violence or threat of violence, abuse of authority of dominant position, debt-bondage, and deception.

3.16) Forcible abduction – an act of taking away or grabbing a woman against her will with lewd designs.

3.17) Freelance – one who pursues a certain professional without a long term commitment to any one employer.

3.18) 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.

3.19) GAD budget – the portion of the municipal government’s yearly general appropriation that is allocated for the implementation of its annual plan for gender and development.

3.20) GAD budget policy – a policy in the Philippines General Appropriation Act that directs all agencies of the government to allocate a minimum of 5 percent of their total annual budgets for gender programs, projects and activities.

3.21) GAD focal point – a person tasked to facilitate and monitor the implementation of gender mainstreaming in each government agency.

3.22) GAD-responsiveness – the consistent and systematic attention given to the differences between women and men in society with a view to addressing structural constraints to gender equality.

3.23) Gay – a homosexual male.

3.24) Gender – the socially learned behavior and expectations associated with the two sexes. It also refers to the socially differentiated roles and characteristics attributed by a given culture to women and men.

3.25) Gender and Development (GAD) Plan - a systematically designed set of programs, projects and activities carried out by the municipal government over a period of time to address the gender issues and concerns within the different sectors of society and constituents.

3.26) Gender-fair – people are given favorable treatment regardless of race, class, sex and cultural status. Any practice or procedures should have equal treatment to an individual or group.

3.27) Gender mainstreaming and institutionalization – an approach that situates gender equality issues at the center of broad policy decisions, institutional structures and resource allocations, and includes women's views and priorities in making decisions about development goals and processes.

3.28) Gender responsive – laws, policies, and procedures made should be accommodating to people regardless of race, class, sex and cultural status.

3.29) Illegal recruitment – refers to victims who were recruited usually for a fee for various forms of local or foreign employment but ended up being victimized, i.e., no job placement were effected or who actually job-placed but under exploitative/oppressive conditions (low salaries, long hours of work, etc.) and have lost their jobs.

3.30) Incest – sexual abuse committed against a child by a person who is related to her/him within the fourth degree of consanguinity or affinity and who exercises influence, authority or moral ascendancy over her/him.

3.31) Indecent – improper, offensive or inappropriate language or acts. Indecent exposure means intentional exposure of parts of one's body in a place where such exposure is likely to be an offense against the generally accepted standard of decency.

3.32) Indecent Shows – shows which include nude or provocative gestures which project and exhibit persons as sex objects.

3.33) Involuntary prostitution – refers to victims who were recruited for various forms of employment such as receptionists, waitresses, entertainers, dancers, household help who are later on forced into prostitution.

3.34) Lesbian – a homosexual woman.

3.35) Mail order bride– Filipino women matched for marriage to foreign nationals for a fee, profit or any material or economic consideration, through the use of the postal services, tri-media, new information technology and various modes or recruitment and advertising activities.

3.35) Mail order bride scheme – the process of matching for a fee, profit or any material or economic consideration, Filipino women for marriage to foreign nationals through the use of the postal services, tri-media, new information technology and various modes or recruitment and advertising activities.

3.36) Malicious mischief – an act of causing damage to a woman obstructing her to perform public functions, or using any poisonous or corrosive substance on her.

3.37) Mentally-ill – the lack of mental health making a person incapable of leading a normal life.

3.38) Mutilation – an act of intentionally depriving a woman, either totally or partially, of some essential organ of reproduction or any other part of her body.

3.39) Naked – with no material covering of any form; lacking the usual or natural or common covering.

3.40) Neglect – failure to provide, for reasons other than poverty adequate food, clothing, shelter, basic education or medical care so as to seriously endanger the physical, mental, social and emotional growth and development of the child.

3.41) Non-sexist or unbiased language or gender-fair language - is gender neutral. It does not exclude either by direct reference or implication of one gender or the other. Words need to be chosen carefully to eliminate inappropriate implications.

3.42) Pedophile– a person with psycho-sexual perversion deriving gratification from child sexual abuse.

3.43) Pedophilia – an act of psycho-sexual perversion deriving gratification from child sexual abuse.

3.44) Persons in crisis – women, children and men who are physically, sexually abused eventually resulting in emotional, mental and psychological dysfunction.

3.45) Physical injury :

3.45.1) Serious physical injury – an act by any person who shall wound, beat or assault a woman, shall be guilty of the crime of serious physical injuries inflicted on the woman shall have caused any of the following :

3.45.1a) become insane, imbecile, impotent or blind.

3.45.1b) have lost the use of speech or the power to hear or to smell, or shall have lost an eye, a hand, a foot, an arm or a leg, or shall have lost the use of any such member, or shall have become incapacitated for the work in which she is habitually engaged.

3.45.1c) become deformed, or shall have lost any part of her body, or shall have lost the use thereof, or shall have been ill or incapacitated for the performance of the work in which she is habitually engaged for a period of more than 90 days.

3.45.1d) have caused the illness or incapacity for labor of the injured woman for more than 30 days.

3.45.2) Less serious physical injury - an act of any person who shall inflict upon a woman physical injuries which shall incapacitate the woman for labor for ten (10) days or more, or shall require medical attendance for the same period.

3.45.3) Slight physical injury and maltreatment – an act by any person who shall inflict upon a woman physical injuries, which : (a) shall incapacitate the woman for labor from one to nine days, or shall require medical attendance during the same period; (b) do not prevent the woman from engaging in her habitual work nor require medical attendance; (c) when the offender shall ill-treat another by deed without causing any injury.

3.46) Physical violence – an act of inflicting physical injuries, parricide, homicide, frustrated parricide, murder or homicide, infanticide, and abortion.

3.47) Pornography – the explicit depiction of sexual subject matter, especially with the sole intention of sexually exciting the viewer.

3.48) Prostitution – the sale, purchase and exchange of women and minors for sexual exploitation for cash, profit or other consideration/favors.

3.49) Psychological violence – an act or behavior committed against a woman, which destroys belief in herself, demeans, disempowers and causes mental and emotional disturbance. This includes but is not limited to verbal abuse, economic abuse, accusation of infidelity, prolonged silence, taking children away from her, ordering the woman out of the house, infidelity of the partner, threats and coercion and sexual harassment.

3.50) Rape – an act committed :

3.50.1) By a man who shall have carnal knowledge of a woman under any of the following circumstances :

3.50.1a) through force, threat or intimidation;

3.50.1b) when the woman is deprived of reason, or otherwise unconscious;

3.50.1c) by means of fraudulent machination or grave abuse of authority;

3.50.1d) when the offended party is under 12 years of age or is demented, even though none of the circumstances mentioned above be present.

3.50.2) By any person who, under of the circumstances mentioned in par. 1 hereof, shall commit an act of sexual assault by inserting the penis into the woman's mouth or anal orifice, any instrument, object, or any other part of the body such as fingers or toes into the genital or anal orifice of a woman.

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

- a. Maternal and Child Health and Nutrition
- b. Family Planning
- c. Prevention and Treatment of Reproductive Tract Infection (RT) including STD, HIV and AIDS
- d. Prevention and Management of Abortion Complication
- e. Education and Counseling on Sexuality and Sexual Health
- f. Breast and Reproductive Tract Cancers and other Gynecological Situation

- g. Prevention and Treatment of Infertility and Sexual Disorders
- h. Men's Reproductive Health
- i. Violence Against Women and Children
- j. Adolescent Reproductive Health

3.52) Reproductive Right - embraces certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the numbers, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.

3.53) Sexism in language - is the use of language which devalues members of one sex, almost invariably women, and thus fosters gender inequality. It discriminates against women by rendering them invisible or trivializing them at the same time that it perpetuates notions of male supremacy.

3.54) Sex object – is an object of sexual desire. A person becomes an object of sexual desire as a result of commoditization, abuse or humiliation.

3.55). Strategic Gender Needs - are concerned with changing the subordinate(disadvantaged) position of women in society.

3.56) Trafficking in persons - refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of the victim 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.

3.57) Violence against Women and their Children - refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or a woman with whom the person has or had a dating or sexual relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, 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 (RA 9262).

3.58) Violence in Media – exhibition/printing of materials demonstrating violence against persons especially degradation of women and children.

3.59) Women Empowerment – is a goal of and an essential process for women’s advancement. It is the process and condition by which women mobilize to understand, identify and overcome gender discrimination and achieve equality. Women become agents of development and not just beneficiaries.

3.60) Work, Education or Training-related Sexual Harassment - is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

CHAPTER II GENDER AND DEVELOPMENT

MAN, WOMEN AND SEXES

ARTICLE II DEFINING MAGSAYSAY’S GENDER AND DEVELOPMENT INTERVENTIONS AND STRATEGIES

Section 4. Integrated Gender And Development Program

4.1 The Local Government of Magsaysay shall ensure the integration of Gender and Development (GAD) in the local planning and budgeting system through the formulation of GAD plans.

- 4.2 The Local Government of the Municipality of Magsaysay shall ensure that the Philippine Plan for Gender and Responsive Development (PDGD) is implemented for women in relation to the services stipulated in Republic Act 7160 of the Local Government Code of 1991 particularly Sections 16 and 17 and other related provisions.
- 4.3 The LGU of Magsaysay 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 provisions.
- 4.4 The LGU of Magsaysay shall integrate gender concerns in the formulation of the Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP) and Annual Investment Plan (AIP) and all other LGU Plans.
- 4.5 The formulation of the GAD plan shall follow the regular planning and budget calendar and shall anchor on the existing CDP, CLUP and AIP. (JMC 2013-01)
- 4.6 It is the responsibility of the Municipal Planning Development Coordinator to ensure that GAD programs are integrated in the local planning process.

Section 5. Gender-Sensitivity Orientation and Training. - All schools, offices, establishments or companies, departments and agencies within the Municipality of Magsaysay shall be provided with gender sensitivity orientation and training. Likewise, all establishments, schools, colleges and universities shall develop assessment tools for the effectiveness of the Gender and Development Program.

Section 6. Support to Gender Studies. - A sufficient amount shall be allotted to gender-related documentation and researches which shall form part of the municipality's data-base program development to be recommended by the GAD Committee and approved by the Local Chief Executive.

Section 7. Popularization of Gender-Fair Materials. - There shall be an active promotion and publication of gender-fair materials in popular forms in the municipality.

Section 8. Integrated Gender-Sensitive and Environment Friendly Zoning Plan. - An Integrated Gender-Sensitive and environment-friendly Zoning Plan of the municipality is hereby established taking into consideration among others, the following:

- a. Relocation of communities shall contribute to the relocates in finding alternative sources of livelihood;

- b. Relocation sites shall consider ways and means in reducing the relocatees' burden in economic and social participation;

Section 9. Community-Based Environment Plans and Programs. - Both women and men shall participate in pollution control, zero-waste technology development and management, preservation of the forest, aquatic resources and indigenous reforestation with due respect to the indigenous people's rights.

Section 10. Gender-Sensitive Natural Resource-Based Management Programs. - The Municipality shall engage in the development of gender-sensitive natural resource-based management programs.

Section 11. Role of Women in Environment-Impact Assessment Projects. - The Municipality of Magsaysay shall promote the active role of women apart from men in environmental impact assessment projects.

Section 12. Promotion of Alternative Technology. - The Municipality shall actively promote an alternative technology that is appropriate and safe for everybody's well-being.

Section 13. Sufficient Budget for Basic Social Services. - An amount necessary to implement the basic social services for women, men and children who are in extremely difficult circumstances shall be allocated from any available sources of funds.

Section 14. Investment and Loans. - The Municipality through the PESO and MSWDO shall conduct consultations with POs, GOs, CSO's and NGOs in establishing networks for loans and investments to clarify implications on people's welfare and development at the municipality and barangay level.

Section 15. Overseas Filipino Workers (OFWs) Support. - The Municipality thru MSWDO and PESO shall gather information on overseas contract workers from the Municipality of Magsaysay, especially those who become victims of abuses, results of which shall serve as basis in identifying special support to all OFWs concerned.

Section 16. Information for Overseas Filipino Workers (OFWs). - The MSWDO in coordination with Department of Labor and Employment shall develop fact sheets on gender issues affecting OFW's for distribution at the barangay level where initial clearances are secured.

Section 17. Education on National and Local Policies. - Men and women are encouraged to undertake education on national and local policies and their implications on gender-sensitivity.

Section 18. Special Yearly Training for Lupong Tagapamayapa and Representation with Appropriate Agencies. - A special para-legal training for Lupong Tagapamayapa shall be conducted on gender issues and related matters. The local government thru the MSWDO shall also make representations with the Municipal Trial Court and the different courts of law in the municipality on the treatment of witnesses especially the children and on the use of gender-fair language in legal proceedings.

Section 19. Training on Non-Traditional Occupation.- Women shall be given opportunity to acquire training on non-traditional occupation such as those related to science and technologies, but not limited to IT, carpentry, heavy equipment operator, tile setting, masonry, welding.

ARTICLE III MUNICIPALITY OF MAGSAYSAY GENDER AND DEVELOPMENT FOCAL POINT SYSTEM COMPOSITION

Section 20. The Municipality of Magsaysay Gender and Development Focal Point System (MGADFPS). – There is hereby created a Municipality of Magsaysay GAD Focal Point System (MGADFPS).

Section 21. Composition of GAD Focal Point System. – The MGADFPS shall be composed of the following:

One (1) representative or permanent alternate from each of the following offices:

1. Municipal Planning and Development Office
2. Municipal Social Welfare and Development Office
3. Municipal Health Office
4. Human Resource Management and Development Office
5. Municipal Budget Office
6. Municipal Engineering Office
7. Municipal Agriculture's Office
8. Municipal Treasurer's Office
9. Municipal Environment and Natural Resources Office
10. Secretary to the Sanggunian
11. Local Economic Enterprise Office
12. Philippine National Police
13. Municipal Local Government Operations Officer
14. Women Representatives from at least 8 accredited GOs/CSOs/POs to be selected by the Municipal Mayor
15. Department of Education District Supervisors (Districts 1 and 2)

16. PESO Manager
17. Office of the Mayor
18. President of the Ligang mga Barangay
19. SKMF
20. SB Chair on Women, Children and Family
21. SB Chair on Finance
22. SB Chair on Rules
23. Municipal Civil Registrar
24. Municipal Accountant
25. Municipal Assessor

The MSWDO shall act as the GAD Focal Office.

Section 22. Duties and Functions of the MGAD Focal Point System.- The MGAD FPS shall:

1. Formulate the annual Municipal GAD Plan responsive to the needs and situation of women and men constituents;
2. Validate and prioritize gender issues and concerns;
3. Recommend the adoption of appropriate policies, passage of ordinances/resolutions that would uplift the potentials of both women and men to implement GAD mainstreaming.
4. Monitor, evaluate and report the status of implementation of the GAD plan and policies in the municipality;
5. Support the establishment of a consultative mechanism to provide continuing dialogue between the municipal government and women sector;
6. Maintain and update a sex-disaggregated data bank through the conduct of primary and secondary data gathering activities;
7. Ensure that the LGU's development program planning and implementation are gender sensitive;
8. Create functional committees in the performance of its function, as need arises;
9. Serve as the advocate for the adoption and funding of GAD programs;
10. Avail of and/or make available educational and training programs/seminars beneficial in the attainment of the goals and objectives of the council through collaboration with NGOs, CSOs, POs educational and research institutions;
11. Gather and disseminate information on GAD current developments and studies, and related issues;
12. Perform such other duties and discharge such other functions as the MGAD FPS may direct as the deemed necessary for the successful implementation of programs and projects on women, men and children and development concerns.

Section 23. Barangay GAD Focal Point System. – All barangays shall establish their respective Barangay Gender and Development Focal Point System that shall ensure that gender issues and concerns are incorporated and addressed at the barangay level and reflected in barangay development plans. All accredited organizations with mass membership at the community level shall be represented in the committee. Details of the committee operations shall be provided in the Implementing Rules and Regulations of this Code. This barangay shall appropriate at least five percent GAD Budget as institutionalized and mandated by law to address the support gender needs as stated in Article II hereof.

Section 24. (IPCR).- The performance of the members of the MGADFPS shall be included in their Individual Performance Commitment and Review (IPCR).

Section 25. Meetings, Seminars, Workshops. - The MGADFPS shall meet quarterly as often as necessary. It may also hold seminars or workshops in relation to policy-making.

Section 26. Appropriations.–The Local Government Unit of Magsaysay shall appropriate at least five percent (5%) in the Annual Budget to ensure effective and efficient implementation of this Code.

ARTICLE IV GAD PLANS, BUDGETS AND REPORTING MECHANISMS

Section 27. A. General Guidelines. – The local government of Magsaysay through the MGADFPS shall observe the following guidelines, to wit:

1. The local government of Magsaysay shall formulate its annual GAD plans and budgets within the context of its mandate and overall plans and programs. The annual GAD plan and budget shall be geared towards the achievement of the desired outcomes and goals.
2. The LGU's GAD activities shall proceed from a review of sex-disaggregated data, the conduct of a gender analysis of major programs and the conduct of consultation/s with women's groups or groups concerning GAD.
3. The conduct of massive information education and communication campaigns on the gender issue/s being addressed by the local government of Magsaysay shall be given priority in terms of budget allocation.
4. GAD planning and budgeting shall be observed annually and incorporated in all programming and budgeting exercises of the municipality.
5. The Local Chief Executive shall ensure the implementation of the annual GAD plan and the utilization of the GAD budget.

6. The MGADFPS shall design procedural guidelines for coordination and reportorial requirements.

CHAPTER III

PROTECTING AND PROMOTING WOMEN, MEN AND CHILDREN AGAINST VIOLENCE, DISCRIMINATION AND ABUSE WITH PENAL PROVISIONS

ARTICLE V CONCISE COMPILATION OF LAWS ON WOMEN AND CHILDREN

Section 29. References. To put into practice, the commitment of the local government to protect women and children against crimes as contained in the different legal concepts adopted under this ordinance, and in line with the thrust of the LGU of Magsaysay to provide assistance and support services to women and children who are victims of crimes and offenses under laws hereunto compiled, this Chapter aims to provide easy reference to all stakeholders for the said purpose.

Section 30. Magna Carta of Women.— As stated in RA 9710 or the Magna Carta of Women of 2009, the local government shall adhere to the provisions stated therein to ensure participation of women in nation building, to promote empowerment of women and pursue equal opportunities of women and men.

Section 31. Sexual Abuse. Sexual abuse shall include but is not limited to the following:

- 31.1 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, through force, threat or intimidation by means of abuse of authority or relationship when the offended party is deprived of reason or otherwise unconscious.
- 31.2 When an offended party is below 12 years old even though none of the above circumstances is present;
- 31.3 When a person inserts or attempts 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 situations stated in paragraph number 1 above.
- 31.4 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.

- 31.5 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.
- 31.6 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 32. Physical Violence. Any intentional act that causes physical harm or hurt to the victim

Section 33. Psychological/Emotional Violence. Any intentional act that offered or cause harm or hurt-in the feelings of the victim such as but not limited to the following:

- 33.1 Threats of suicide if the victim will not give in to the demands of the offender;
- 33.2 Threats against the victim of her family;
- 33.3 Punching, breaking or defacing or otherwise destroying the house or any part thereof or the personal belongings of the victims.
- 33.4 Threatening to kidnap the children or to take them to a foreign country
- 33.5 Threatening to take the victim's children away
- 33.6 Threatening deportation of the victim with foreign citizenship
- 33.7 Forcing the victim to do things he/she considers as dehumanizing or degrading.
- 33.8 Controlling the victims lawful or usual activities
- 33.9 Use of fault and insulting words, language, or statement against a woman
- 33.10 Threats of abandonment and expression such as forcing the woman to leave the conjugal dwelling
- 33.11 Shouting invectives against the victims and other forms of verbal abuse.

Section 34. 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 35. 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 36. Husband and Wife Battering. Husband and wife battering shall be punishable from one month to one year imprisonment or a fine of P1,000.00 to P2,500.00 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 37. Solicitation. It is unlawful for any person to solicit a woman's service for sexual purposes 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 38. A. Sexual Harassment. - As defined and penalized under Republic Act No. 7877, Work, Education or Training-related Sexual Harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

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- (1) In a work-related or employment environment, sexual harassment is committed when:
 - (a) The sexual favor is made as a condition in hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;
 - (b) The above acts would impair the employee's rights or privileges under existing labor laws; and
 - (c) The above acts would result in an intimidating, hostile, or offensive environment for the employee.
- (2) In an education or training environment, sexual harassment is committed:
 - (a) Against one who is under the care, custody or supervision of the offender,
 - (b) Against one whose education, training, apprenticeship or tutelage is entrusted to the offender;
 - (c) When the sexual favor is made as a condition to the giving of a passing grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or
 - (d) When the sexual advances result in an intimidating, hostile, or offensive environment for the student, trainee or apprentice.

38. B. Other Forms of Sexual Harassment. - Other than the definition above described, the following constitute sexual harassment:

1. Persistent telling of offensive jokes such as green jokes or other analogous statement to someone who finds them offensive or humiliating;
2. taunting a person with constant talk about sex and sexual innuendos;
3. displaying offensive or lewd pictures and publications in the workplace;
4. interrogating someone about their sexual activities or private life, exception medical or physical examination purposes;
5. making offensive hand or body gestures at someone;
6. repeatedly asking for dates despite verbal rejection;
7. staring or leering maliciously;
8. Touching, punching or brushing up against someone's body unnecessarily or deliberately;
9. kissing or embracing someone against his/her will;
10. Requesting sexual favors in exchange for a good grade, obtaining a good job, promotion;
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", "buring", "peste", "puñeta", etc;
12. any other unnecessary acts during physical examinations;
13. Requiring women to wear suggestive or provocative attire during interviews such as on the job hiring or promotion.

Commission of one of these acts shall be subjected to an imprisonment of one week or a fine of P1,000.00 to P2,000.00 or both at the discretion of the Court as prescribed in RA 7879 otherwise known as Anti-Sexual Harassment Act.

Section 39. Violence against Women and their Children.— Violence against Women and their Children as provided under R.A. No. 9262 is committed through any of the following acts:

- (a) Causing, threatening or attempting to cause physical harm to the woman or her child;
- (b) Placing the woman or her child in fear of imminent physical harm;
- (c) 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. These shall include, but is not limited to the following acts committed with the purpose

or effect of controlling or restricting the movement or conduct of the woman or her child:

- (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 other 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; and
 - (4) Preventing the woman from engaging in any legitimate profession, occupation, business or activity except in cases where the spouse or partner objects on valid, serious and moral grounds, or controlling the victim's own money or property , or solely controlling the conjugal or common money or property;
- (d)** Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;
- (e)** 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;
- (f)** 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. These shall include, but is not 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 or her child against her/his will;
 - (4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or child; and
 - (5) Engaging in any form of harassment or violence;
- (g)** 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 a minor child or denial of access to the woman's child

Any person committing the aforesaid acts shall suffer the penalty imposed under Republic Act No. 9262.

Section 40. Juvenile Justice and Child Welfare.– As provided under RA 9344, every child in conflict with the law shall have the following rights including, but not limited to:

- (a) The right not to be subjected to torture or other cruel inhuman or degrading treatment or punishment;
- (b) The right not to be imposed a sentence of capital punishment or life imprisonment without the possibility of release;
- (c) The right not to be deprived unlawfully or arbitrarily of his/her liberty; detention or imprisonment being a disposition of last resort and which shall be for the shortest appropriate period of time;
- (d) The right to be treated with humanity and respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He/She shall be conveyed separately to or from court. He/She shall await hearing of his/her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits, save in exceptional circumstances;
- (e) The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
- (f) The right to bail and recognizance in appropriate cases;
- (g) The right to testify as a witness in his/her own behalf under the rule on examination of a child witness;
- (h) The right to have his/her privacy respected fully at all stages of the proceedings;
- (i) The right to diversion if he/she is qualified and voluntarily avails of the same;
- (j) The right to be imposed a judgment in proportion to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court under the principle of restorative justice;
- (k) The right to have restrictions on his/her personal liberty limited to the minimum, and where discretion is given by the law to the judge to determine, to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- (l) In general, the right to automatic suspension of sentence;
- (m) The right to probation as an alternative to imprisonment, if qualified under the Probation Law;

- (n) The right to be free from liability for perjury, concealment or misrepresentation; and
- (o) Other rights as provided under the existing laws, rules and regulations.

Section 41. A. Acts That Promote Trafficking in Persons under R.A.9208. - The following acts which promote or facilitate trafficking in persons, are unlawful:

1. To knowingly lease or sublease, use or allow to be used any house, building or establishment for the purpose of promoting trafficking in persons;
2. To produce, print and issue or distribute tampered or fake counseling certificates, registration stickers and certificates of any government agency which issues these certificates and stickers as proof of compliance with government regulatory and pre-departure requirements for the purpose of promoting trafficking in persons;
3. To advertise, publish, print, broadcast or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means, including the use of information technology and the internet, of any brochure, flyer, or any propaganda material that promotes trafficking in persons;
4. To assist in the conduct of misrepresentation or fraud for purposes of facilitating the acquisition of clearances and necessary exit documents from government agencies that are mandated to provide pre-departure registration and services for departing persons for the purpose of promoting trafficking in persons;
5. To facilitate assist or help in the exit and entry of persons from/to the country at international and local airports, territorial boundaries and seaports who are in possession of un-issued, tampered or fraudulent travel documents for the purpose of promoting trafficking in persons;
6. To confiscate, conceal, or destroy the passport, travel documents, or personal documents or belongings or trafficked persons in furtherance of trafficking or to prevent them from leaving the country or seeking redress from the government or appropriate agencies; and
7. To knowingly benefit from, financial or otherwise, or make use of, the labor or services of a person held to a condition of involuntary servitude, forced labor, or slavery.

41. B. Qualified Trafficking in Persons. – The following are considered as qualified trafficking in persons when:

1. the trafficked person is a child;
2. the adoption is effected through Republic Act No. 8043, otherwise known as the "Inter-Country Adoption Act of 1995" and said adoption is for the purpose

- of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
3. the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three (3) or more persons, individually or as a group;
 4. the offender is an ascendant, parent, sibling, guardian or a person who exercises authority over the trafficked person or when the offense is committed by a public officer or employee;
 5. the trafficked person is recruited to engage in prostitution with any member of the military or law enforcement agencies;
 6. the offender is a member of the military or law enforcement agencies; and
 7. by reason or on occasion of the act of trafficking in persons, the offended party dies, becomes insane, suffers mutilation or is afflicted with Human Immunodeficiency Virus (HIV) or the Acquired Immune Deficiency Syndrome (AIDS).

Any commission of the following acts shall be punished in accordance with the penal provisions of Republic Act No. 9208.

Section 42. 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 be penalized by an imprisonment of 4 months or a fine of 2,500.00 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 43. Rape, When and How Committed. – As provided under Article 266-A of the Revised Penal Code of the Philippines as amended by R.A.8353, rape is committed:

- a. By a man who shall have carnal knowledge of a woman under any of the following circumstances:
 1. through force, threat or intimidation;
 2. when the offended party is deprived of reason or is otherwise unconscious;
 3. by means of fraudulent machination or grave abuse of authority;
 4. when the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above is present;

- b. By any person who, under any of the circumstances mentioned in paragraph 1 hereof, shall commit an act of sexual assault by inserting his penis into another person's mouth or anal orifice, or any instrument or object, into the genital or anal orifice of another person. Any commission of the following acts shall be punished in accordance with the penal provisions of Republic Act No. 8353.

Section 44. Printing, Publication, Display and Distribution of Pornographic Scenes on Movie/TV, Trailers/Shows, Posters, Billboards and Other Materials and Similar Literature. - As provided in Presidential Decrees Nos. 960 and 969, printing, publication, display and distribution of pornographic scenes on movie/television, trailers/shows, posters, billboards, literature and other visual materials which treat women and men as sex objects or commodities are prohibited.

Any commission of the following acts shall be punished in accordance with the penal provisions of Presidential Decree Nos. 960 and 969.

Section 45. Anti-child Pornography.— Under R.A. 9775, Sec. 4. Unlawful or Prohibited Acts - it shall be unlawful for any person:

- (a) To hire, employ, use, persuade, induce or coerce a child to perform in the creation or production of any form of child pornography;
- (b) To produce, direct, manufacture or create any form of child pornography;
- (c) To publish, offer, transmit, sell, distribute, broadcast, advertise, promote, export or import any form of child pornography;
- (d) To possess any form of child pornography with the intent to sell, distribute, publish or broadcast: Provided, That possession of three (3) or more articles of child pornography of the same form shall be *prima facie* evidence of the intent to sell, distribute, publish or broadcast;
- (e) To knowingly, willfully and intentionally provide a venue for the commission of prohibited acts such as, but not limited to, dens, private rooms, cubicles, cinemas, houses or in establishments purporting to be a legitimate business;
- (f) For film distributors, theaters and telecommunication companies, by themselves or in cooperation with other entities, to distribute any form of child pornography;
- (g) For a parent, legal guardian or person having custody or control of a child to knowingly permit the child to engage, participate or assist in any form of child pornography;
- (h) To engage in the luring or grooming of a child;
- (i) To engage in pandering of any form of child pornography;
- (j) To willfully access any form of child pornography;
- (k) To conspire to commit any of the prohibited acts stated in this section. Conspiracy to commit any form of child pornography shall be committed when

two (2) or more persons come to an agreement concerning the commission of any of the said prohibited acts and decide to commit it; and (l) To possess any form of child pornography.

Any commission of the following acts shall be punished in accordance with the penal provisions of Republic Act No. 9775.

Section 46. Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail-Order Basis. – Under R.A. 6955, it is declared unlawful:

- (a) For a person, natural or juridical, association, club, or any other entity to commit, directly, or indirectly, any of the following acts:
1. to establish or carry on a business which has for its purpose the matching of Filipino women for marriage to foreign nationals either on a mail-order basis or through personal introduction;
 2. To advertise, publish, print or distribute or cause the advertisement, publication, printing or distribution of any brochure, flyer, or any propaganda material calculated to promote the prohibited acts in the preceding subparagraph;
 3. To solicit, enlist or in any manner attract or induce any Filipino woman to become a member of any club or association whose objective is to match women for marriage to foreign nationals either on a mail-order basis or through personal introduction for a fee;
 4. To use the postal service to promote the prohibited acts in subparagraph 1 hereof;
- (b.) For the manager or office-in-charge or advertising manager of any newspaper, magazine, television or radio station, or other media, or of an advertising agency, printing company or other similar entities, to knowingly allow, to consent to the acts prohibited in the preceding paragraph. Any commission of the following acts shall be punished in accordance with the penal provisions of Republic Act No. 6955.

Section 47. Pornographic and Indecent Shows.- Any person who engages in shows depicting women, men and children as sex objects in private or public place or under scandalous circumstances shall be prosecuted under the Revised Penal Code or PD 969, as the case may be.

Any commission of the following acts shall be punished in accordance with the penal provisions of Presidential Decree No. 969.

Section 48. Commoditization of Women. Any activity or form of beauty contest which tends to commoditize, abuse, humiliate or treat women as sex objects shall be

strictly prohibited within the territorial jurisdiction of the Municipality of Magsaysay. 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 Council for the Protection of Women and Children is 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 P1,000.00 but not more than P2,500 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 P1,000.00 but not more than P2,000.00 or others 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 49. Live Shows. - It shall be unlawful to influence or force a person to dance or do naked shows in public or private places for commercial or entertainment purposes.

Any person violating this provision shall be penalized with 6 months imprisonment or a fine of P2,500.00 or both at the discretion of the court;

Section 50. Fund Raising Initiatives or Activities. - All fund raising initiatives/ activities, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing of movies, or any similar fund-raising undertaking where women, men and children are used as donor prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a person as central, partial, or special focus in order to raise funds are hereby prohibited and declared unlawful. Any person violating this provision shall be penalized with 6 months imprisonment or a fine of P2,500.00 or both at the discretion of the court.

Section 51. Forced Marriage.—No man or 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 P2,500.00 or both at the discretion of the court.

So long as it is not inconsistent with the existing tribal laws (written or unwritten), customs, traditions, and practices, none regardless of tribe, culture, religion or social status shall be forced to marry.

Section 52. Pedophilia. – Pedophilia is a form of sexual perversion where children are preferred victims for intercourse. It shall include but not limited to the following acts:

a. when the offender have sexual intercourse in any form with a boy or girl child;

- b. when the offender does other sexual or lascivious acts such as but not limited to fondling, kissing the private parts of a boy or girl child or taking photographs/video of the same for pornography; and
- c. when the offender commits other pedophilic acts.

Section 53. Other Related Laws for the Protection and Empowerment of Women. — Under the Labor Code of the Philippines and the Civil Service Law, *Woman/female labor force* whether in public or private sector shall enjoy the following rights and privileges:

- a. Maternity leave benefit for pregnant women;
- b. Facilities for women – adequate facilities must be made available for women workers, such as seats, separate toilet and lavatories for women, dressing room, and nursery;
- c. Family planning – family planning services shall be provided to employees of an establishment which are by law required to maintain a clinic or infirmary;
- d. Express lane for pregnant women;
- e. Discrimination – employer shall not discriminate against women in the work place with respect to terms and conditions of employment on account of her sex;
- f. Stipulation against marriage – the right to get married is an internationally recognized right of any individual. It is therefore unlawful to discriminate married employees or to require that a woman remain unmarried;
- g. Prohibited acts - employers are prohibited from doing acts discriminatory on account of women's mothering function;
- h. Classification of certain women workers – women who are not formally employed in night clubs, cocktail lounges, massage clinic, bar or similar establishment shall be considered employed for purposes of labor and social legislation if they are suffered to work, with or without compensation;
- i. Employment of House-helpers;
- j. Equal Access to Employment, Training and Promotion- no one shall be deprived of employment opportunity on account of gender, age, ethnicity, creed, religion and civil status. Likewise, no one shall be deprived of training and promotion in employment;
- k. Wage and Benefits. Every employer shall comply with the minimum wage as stipulated by the Regional Tripartite Wages and Productivity Board
- l. Increase Paternity Leave Benefits as Incentive for Fathers for Meaningful Participation in the Care of the New Born Child in the Private Sector. – Additional paternity leave benefits up to fourteen (14) days from the seven (7) days mandated by the law under RA 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the municipality, who have rendered at least one (1) year continuous service, provided that this benefit shall mutually agree upon in the Collective Bargaining Agreement (CBA) between the concerned employees'

union and management. Provided, further, that any additional leave period shall use for caring of the new-born baby by the concerned employee.

Section 54. Rights and Privileges of Domestic Helpers as stipulated in IRR of RA 10361 known as "Kasambahay Law".

1. The minimum wage is P1,500.00 which may be increased by the government as needed.
2. The 13th month pay is mandatory.
3. It is the employer's duty to provide medical assistance to the domestic worker in case of illnesses and injuries sustained during service without loss of benefits.
4. All employers are required to make pay slips which should indicate the amount of salary and deductions made.
5. No more verbal agreements. An employment contract should be provided by the employer in a language or dialect understandable to both parties, after which such employment should be registered with the Barangay Office.
6. After one year of employment, domestic workers are now entitled to five days service incentive leave pay (SILP).
7. A weekly rest day of at least 24 hours is now mandatory.
8. Domestic workers are to get, at least, 8 hours' time off per day.
9. Domestic workers must be 15 years of age. It is prohibited to employ kasambahay below 15 years old.
10. Domestic workers should be given the opportunity to continue their education, and employers must adjust schedules for these to be accommodated.
11. Membership in SSS, Pag-ibig, Philhealth is mandatory and the amount should be shouldered by the employer for workers receiving less than P5,000 per month.
12. Agency/Recruitment Fees incurred from hiring the kasambahay shall not be charged to the employee.
13. Employers are required to issue a certificate of employment if the domestic worker requests it.

Any person violating these provisions shall be penalized with 6 months imprisonment or a fine of P2,500.00 or both at the discretion of the court.

**ARTICLE VI
REGULATIONS ON BEAUTY CONTEST AND
PROTECTION AGAINST DISCRIMINATION**

Section 55. Beauty Contests, Fashion Shows, Discos and Similar Shows and Competitions. - Beauty contests, bikini contests, fashion shows, modeling, concerts and other similar shows and competitions which tend to exploit, commodity, abuse,

humiliate and treat women, men and children as sex objects are hereby strictly prohibited and declared unlawful in schools, communities, and barangays in connection with special celebrations or any affair for that matter. But in their stead, the projection of men, women and children's strengths and potentials, especially with regard to indigenous and culturally relevant forms shall be encouraged.

The following are considered but not limited to exploitation, commodification, abuse, humiliation and treatment of men, women and children as sex objects:

1. Wearing of any attire that exposes the butt and genitalia of both gender and sexes, and the women's breast;
2. Wearing of transparent, skin tone, see-through and the like underwear, attire or clothing;
3. Using inappropriate body movements;
4. Selling/buying of tickets and the like, in exchange of winning the contest; and
5. Contest that involves money or goods in exchange of winning it.

Any person or entity organizing the contest violating this provision shall be penalized with 6 months' imprisonment or a fine of P2,500.00 or both at the discretion of the court. No beauty contest and any related shows, discos and competition shall be conducted without securing Clearance from the barangay or municipality and Consultation Clearance from the secretariat of the MGADFPS before the issuance of the Mayor's Permit to ensure the proper implementation of this section.

Section 56. Nondiscrimination of Gays, Lesbians, Bisexuals, and Transgender.

– It shall be regarded a violation of human rights to discriminate against any person on the basis of their sexual preference or orientation for employment, participation in municipality development programs and projects, and/or other family community activities. Every person's right to sexual preference shall be respected and protected.

ARTICLE VII
MUNICIPALITY OF MAGSAYSAY'S ASSISTANCE AND SUPPORT SERVICES
FOR THE PROTECTION AND PROMOTION OF THE RIGHTS
OF WOMEN AND CHILDREN

Section 57. Local Government Assistance and Support Services.– The Local Government of Magsaysay thru the MGADFPS and in coordination with its line and partner agencies such as MSWD and other agencies of the government, people's or non-government organizations and private sector shall require the provision of the following assistance and support services:

a.) Support to persons in Armed Conflict Situation.

- 1) No person shall be deprived of basic social services in armed conflict areas;

- 2) No one shall be kept by any peace and order personnel in military detachment/police checkpoint or any analogous quarter for purposes of company;
- b.) Conscious Surveillance of Entertainment Establishment. The Municipal Health Office shall conduct conscious surveillance of entertainment establishments existing in the municipality that are suspected of exploiting women;
- c.) Indigenous and Cultural Practices. Indigenous and tribal women shall be allowed enrolment in schools and colleges and enjoy employment opportunities without prejudice to their birth and marriage rituals where no birth and marriage certificates are issued as evidence therefore;
- d.) Support to Women Survivors of Violence. The Municipality of Magsaysay shall provide support to women survivors of violence;
- e.) Support to Solo Parents. The Municipality of Magsaysay shall provide support to Solo Parents as mandated by law;
- f.) The Municipality of Magsaysay, through the Municipal PNP office shall establish and maintain the Women's and Children's Protection Desk (WCPD) preferably handled by Women Police Officers. All Police Stations shall have WCPD to specifically handle concerns on women and children. All police stations of the municipality shall have a separate women and children protection room within the police station;
- g.) Complaints on battering and other forms of abuse against women and children shall be handled by female officers in the local police force whose character and credibility do not violate the accepted standards in handling such cases. Complaints against all forms of battering of men shall be handled by the MSWDO;
- h.) Programs for Survivors of Violence. Women and children who are survivors of all forms of violence shall be registered in the psychological program which shall be carried out by the MSWDO;
- i.) All investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor's office and other trial courts shall recognize and allow the *survivor's support* group to be present in the court room as observers and to provide moral support to the victims subject of litigation;

- j.) Children's Welfare is hereby strengthened under the Municipal Social Welfare and Development Office to cater to problems and concerns of depressed families especially those affected by natural and artificially made calamities or disaster;
- k.) Support to Women in Detention. – The rights of all women detainees shall be protected by ensuring them of
 - (a) a speedy trial of their respective cases;
 - (b) an appropriate program to respond to their specific needs and problems as detainees;
 - (c) a separate physical structure and space provisions for detention and rehabilitation; and
 - (d) a provision of legal services.

Section 58. Comprehensive Health Care Service in Gender Perspective.– No person shall be denied of health care service on the account of gender, age, sex, creed, civil and social status, education, religion and ethnicity.

The local government shall adopt the reproductive health care approach at all levels of health care delivery. Such approach shall integrate many issues not previously considered central on population, sexuality, gender power relations and domestic violence. The services shall be consistent with gender-responsive health care delivery and shall be a life-cycle based framework. This framework assures services "from womb to tomb". Services shall abide by the principle of quality information and quality care.

Section 59. Legal Assistance Services for Victims of Violence against Women, Men and Children.– The local government shall establish legal team to provide paralegal or legal assistance to the victims of violence against men, women and children. The team shall handle the cases and other legal actions particularly on all forms of violence against men, women and children.

To ensure the provisions of free legal assistance or service, a legal officer and a legal aide may be hired by the Local Government Unit who shall primarily serve the clients of this Unit. The Legal Officer and Legal Aide shall provide services for any legal actions needed in protecting the abused victims.

Section 60. Comprehensive Support to Victims and Survivors of Violence.– The local government shall provide a comprehensive support to victims and survivors of violence which consist of but not limited to:

- a. immediate conduct of an investigation within 24 hours;
- b. provide for counseling and medical services for the offended party;
- c. gather evidence for the arrest and prosecution of the offenders;

- d. make a report of his/her investigation and on the basis of theoffended part’s testimony and additional evidence, if any, endorse thesame to the proper prosecution office within 36 hours from the timeof filing, regardless of his/her evaluation of the case;
- e. the investigating officer or the examining physician, if possible of thesame sex as the offended party, ensure that only person expresslyauthorized by the latter are allowed inside the room where theinvestigation, medical or physical examination is being conducted;
- f. victims and survivors of all forms of violence shall register in acommunity-based psychological program that shall assist the victimsand survivors in holistically rebuilding and empowering themselves;
- g. all investigations/hearings involving rape cases and other forms ofviolence against women and children conducted in the police stations,prosecutor’s office and the trial courts shall recognize the survivor’ssocial support group as expressly allowed or requested by theoffended party;
- h. a temporary shelter with appropriate support services for women andchildren in crisis shall be appropriately constructed under themanagement and supervision of the Municipal Social Welfare andDevelopment Office.

Section 61.Shared Parenting and Responsibilities. – The local government shall advocate that all parents have moral obligation andresponsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological and psychological conditions.

Section 62.establishment of MunicipalGender Protection Unit – The local government of Magsaysay shall establish a Gender Protection Unit at all hospitals/clinics (all levels of healthcare, especially at the tertiary level) and shall provide service training to all health and other allied personnel who shall be assigned in this unit. The unit shall include assistance and services for persons in crisis regardless of gender and sex, the establishment and operation of a rape crisis center as mandated by Republic Act. 8505, for the purpose of:

1. Providing victims of physical and sexual abuse and other forms of violence with psychological counseling, medical and health services, when necessary;
2. Securing free legal assistance or service, when necessary, for victim physical and sexual abuse and other forms of violence;
3. Assisting victims of physical and sexual abuse and other forms violence in the investigation to hasten the arrest of the offenders and the filing of cases in court;
4. Ensuring the privacy and safety of victims of physical and sexual abuse and other forms of violence;
5. Providing psychological counseling and medical services whenever necessary for the family of victims of physical and sexual abuse and other forms of violence;

6. Developing and undertaking a training program for law enforcement officers, public prosecutors, lawyers, medicolegal officers, social workers, and barangay officials on human rights and responsibilities, gender-sensitivity and legal management of rape and cases of abuse in coordination with the GAD Focal Office;
7. Adopting and implementing programs and procedures to expedite the processing of cases of abuse and other forms of violence.

b. Municipal Gender and Development Office– The local government shall ensure the establishment of ***Municipal Gender and Development Office*** in the municipality which provide support services to survivors of violence as well as other gender development concerns.

c. Creation of Local Inter-Agency Task Force Against Trafficking. - An Ordinance shall be enacted for the creation of this task force with the following powers and functions:

1. formulates a comprehensive and integrated program to prevent and suppress the trafficking in persons;
2. recommends rules and regulations as maybe necessary for the effective implementation of R.A. 9208;
3. Delivers programs and services for the prevention, rescue and rehabilitation of victims of trafficking and their families;
4. conducts massive information dissemination and campaign on the existence of law, rules, and regulations and on the various issues and problems attendant to trafficking;
5. Assists in filing of cases against individuals, agencies, institutions or establishments that violate the provisions of R.A. 9208;
6. Develops mechanism to ensure the timely, coordinated and effective response to cases of trafficking in persons;
7. coordinates with other national and local agencies that maybe involved in the enforcement of R.A. 9208;
8. exercises all the powers and perform such other functions necessary to attain the purpose and objectives of the ordinance.

d.) Creation of a Family Arbitration Committee. - All barangay governments in the municipality shall create a committee on Family Arbitration to resolve cases on family disputes and violence.

Section 63. Orientation on Sexual Harassment. - All government agencies and private offices, commercial/industrial establishments located in the municipality shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the MGADFPS.

Section 64. Setting-up of Committee on Decorum and Investigation. The local government shall set up/create its own Committee on Decorum and Investigation (CODI) including the promulgation of the Implementing Rules and Regulations or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all municipal officers and employees in accordance with the provision of Republic Act 7877 and the Civil Service Commission.

The local government shall campaign to set up/create the same CODI in all private offices and commercial/industrial establishments.

All local offices, agencies and establishments or companies both in 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 P2,500.00.

Section 65. Employment and Capital Assistance Program. - The local government thru the agencies engaged in socio-economic programs shall not deprive anyone of capital assistance, subsidy and/or employment because of sex and gender.

Section 66. Gender-Sensitive Work Environment. – A gender-sensitive work environment shall be adopted by all offices, agencies and establishments or companies which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the workplace. There shall be separate facilities for men and women, such as but not limited to comfort room, powder room and the like.

Section 67. Workers in the Entertainment Industry.

- a. Workers in the entertainment industry shall be recognized as wage earners and they shall receive a minimum wage 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.
- b. Support Services for Workers in the Entertainment Industry. The Local Government shall provide alternative socio-economic support services for workers in the entertainment industry in its desire to respond to their practical needs.
- c. Medical Routine Check-Up. Workers in the entertainment industry shall be afforded by their respective employers with medical routine check-up and medicines if needed.
- d. Raids. Any form of brutality shall not be allowed during conduct of raids in the entertainment establishment.

Violators shall be subjected to a fine of P2,500.00 or cancellation of business permit or both at the discretion of the court.

ARTICLE VIII HEALTH AND SOCIAL WELFARE

Section 68. Socialized Reproductive Health Services for All Hospitals. - No hospital in the municipality of Magsaysay shall deny persons living below poverty line of reproductive health services. All individuals shall secure a certificate of residency from the Punong Barangay where they are residing which will be the requisite of the issuance of Certificate of Indigency from the Municipal Social Welfare and Development Office. 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. Noncompliance to the administration of this provision shall be penalized by a fine of not more than P2,500.00.

Section 69. Upgrading the Health Care Delivery System. - Quality health care and services that are not discriminatory on account of the gender, age, sex, creed, religion and ethnicity shall be adopted and implemented.

Section 70. Reproductive Health Care Delivery. - The local governments shall adopt the reproductive health 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.

Section 71. Reproductive Health Services. - Establishment within the municipality 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 concern for women and men's role in social production. Violation by private employers shall constitute a fine of P2,500.00 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 P1,000.00.

Section 72. Reproductive Health Services for All. - All hospitals in the municipality shall offer appropriate, equitable and affordable reproductive health services for all regardless of sex and social status with respect to religious beliefs and practices.

Section 73. Women's Control over Their Bodies. - Women's decision to prevent and control pregnancy shall be given the appropriate support and guidance by all health professionals, private and public at very minimal cost.

Section 74. Protection against Drug Abuse. - A special Task Force shall be sustained by the Municipal Mayor for the protection against drug abuse and proliferation of illicit drugs in the municipality.

Section 75. Access to Safe Water. - All barangays in the municipality shall provide easy access to safe water supply. Appropriate water systems shall be installed, if possible right at their tap, to ease a person's workload specially to minimize women and children fetching water for household use.

ARTICLE IX EDUCATION AND TRAINING

Section 76. Promotion of Gender-Sensitive Curricula.— All public and private schools in the municipality of Magsaysay shall actively promote gender-sensitivity in their subject/course curriculum and gender-fair socialization for all enrollees. Public and private schools shall also promote gender-sensitive counseling and career education programs to encourage anyone to pursue academic and technical courses to widen their career opportunities. Non-compliance of this provision shall require the concerned party to pay a fine of P2,000 and issuance of warning by the Municipality through the Municipal Gender and Development Council.

Section 77. Conduct of Regular Gender-Sensitivity Training for All Teachers at all School Levels. – All Schools in coordination with the MGADFPS shall conduct gender-sensitivity orientation for teachers every school year.

Section 78. Adult Education.— The local government shall provide adult education program in all barangays of the municipality. **(Alternative Learning System)**

Section 79. Monitoring and Reporting of Gender-Sensitive Educational Materials. - The MGADFPS shall coordinate with the schools, colleges and universities in monitoring and reporting the usage of gender-sensitive educational materials.

Section 80. Scholarship Program.- The local government shall adopt the scholarship program for the poor but deserving students regardless of sex, gender, ethnicity, religion, etc.

Section 81. Gender-Fair Approach to Pre-Marriage Counseling Program.— The MCR, MHO and MSWDO shall ensure gender-sensitive conduct of Pre-Marriage Counseling required in the application for marriage license at the Local Civil Registry.

ARTICLE X LABOR AND EMPLOYMENT

Section 82. 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. Violation by private employers shall constitute a fine of P2,500.00 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 P1,000.00 or as prescribed by the prevailing rules and regulation.

Section 83. Wage and Benefits. Every employer shall comply with the minimum wage as prescribed by the Regional Wage Board (RTW) 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. Violation of this provisions by private employers shall constitute a fine of P2,500.00 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 P1,000.00 or as prescribed by the Court.

Section 84. Facilities and Support System to Employees. The Municipal Government shall ensure the safety and health of all employees in appropriate cases, provide facilities such as:

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

Violation by private employers shall constitute a fine of P2,500.00 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 P1,000.00.

Section 85. 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. Failure to comply with this provision shall mean payment of a fine of not more than P2,500.00.

Section 86. Organization and Functionalization of Local Councils for the Protection of Children. The municipality shall ensure the reactivation of the Barangay Councils for the Protection of Children.

Section 87. Equal Access to Livelihood Assistance. All municipal departments and agencies engaged in socio-economic programs shall increase their capital assistance and or subsidy to all persons especially on land-based projects.

Section 88. Access to Science and Women Friendly Farming Technology Education. The Municipal PESO officer shall work in collaboration with other related line agencies of the municipal government, and the private sector to ensure access to updated and women friendly technology to facilitate women's under participation in the economic activities of their respective barangays.

Section 89. Farmland for Women Headed Families. Portion of agricultural lands, the ownership of which is transferred to the Municipal 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 90. Employment Opportunities to Differently-Abled Persons. The Municipal Government in partnership with appropriate national government agencies and private groups and other entities shall develop creative employment opportunities to differently-abled persons recognizing their differentiated conditions and potentials as human being.

Section 91. Healthy and Gender Fair Work Environment. The Municipal 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 92. Benefit for Post – Partum Women. Women with children 0-6 months old shall be entitled to a 30-day leave with pay to be availed of within the first six months of child delivery, provided that this benefit is separate and distinct from any existing maternity benefits provided for by existing laws, provided further that if the employer is already providing similar benefit over and above what is existing laws, require, such benefit being provided shall be credited in compliance thereof.

Section 93. Gender-Sensitive Physical Plan. A physical plan appropriate for gender-sensitive environment shall be adopted by all offices, agencies and establishment or companies which will help prevent sexual harassment, sexual abuse and other forms of

maltreatment in the work place. Failure to comply with this provision shall constitute a fine of P2,500 and suspension of business permit or license for three months.

Section 94. Employment assistance Program. The Municipal Government in cooperation with the Department of Labor and Employment shall endeavor to assist poor students, the unemployed and underemployed in securing gainful employment.

Section 95. Municipal Based Registration of Helpers. The municipality thru the MSWDO 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 helps a recreational day-off at terms and conditions mutually agreed by both parties.

Section 96. Monitoring of Kasambahay Law Implementation. The municipality, thru the MGADFPS, shall conduct monitoring mechanisms on the implementation of RA 10361 known as "Kasambahay Law".

Section 97. 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.

Section 98. 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 99. Agents of Agricultural Chemicals. No government agency shall act as an agent of agricultural chemicals. Chemicals allowed are only those duly authorized by Fertilizers and Pesticides Authority. An administrative sanction shall be imposed on head of agencies found violating this provision.

ARTICLE XI POLITICAL AND PUBLIC SPHERE OF WOMEN, MEN AND CHILDREN

Section 100. Observance of Women and Men Campaign.- As declared by the United Nations, Republic Act No. 6949 thru Executive Order of the Mayor or Ordinance, the municipality shall observe March 8 of every year as Women's Day Celebration. On said day, there shall be activities for women to increase their level of awareness on issues affecting them. The municipality shall also observe the first Monday of June of every year as Men's Day in support to gender and development advocacy pursuits. For

this purpose, men's group shall be organized to orchestrate gender and development related activities among them.

Section 101. Rural Women's Day. – The municipality shall observe the celebration on October 15 of every year as Rural Women's Day in accordance with National Declaration in 1997 and United Nations Conference for Women in 1995.

Section 102. International Week of Action against Gender-Based Violence. - The local government shall organize various events and activities to educate residents about violence against women and children every November 25 to December 10 as the period marked as the International Week of Action Against Gender-Based Violence and culminates on International Human Rights Day. The activities shall be spearheaded jointly by the MGADFPS and the Barangay GADFPS.

Section 103. Sustaining the Municipality Federation of Women. - A Municipal Women's Federation shall be organized and sustained at the municipal level from among the barangay organizations existing in the municipality.

Section 104. Sustaining Membership of Women in Local Special Bodies. - The local government of Magsaysay shall include women representatives in different special bodies on the local government. These local special bodies shall include, but not limited to, Local Development Council, Local Health Board, Local School Board, Municipal Peace and Order Council.

ARTICLE XII CHILDREN SUPPORT SYSTEM

Section 105. Early Childhood Care and Development Center. - The Local Government shall ensure that Early Childhood Care and Development Center (ECCDC) are operational in every barangay.

Section 106. National Children's Month. - Pursuant to Presidential Proclamation No. 267 dated September 30, 1993, every municipality shall observe the month of October as National Children's Month and shall undertake relevant projects and activities.

CHAPTER IV

ARTICLE XIII GENDER-FAIR LANGUAGE

Section 107. Integration of Gender-Fair Language. The local government of Magsaysay contextualizes onsexist language. In its attempt to erase all forms of discrimination against women, thus empowering them to make a full contribution to society, the local government hereby undertakes to integrate the use of gender-fair or non-sexist in the various orientation and trainings.

Section 108. Guidelines for Non-Sexist Language. - The following guidelines for non-sexist language are hereby adopted for both written and verbal communication:

a.) Generic man

1. Replace *man* with specific nouns or verbs that say explicitly what you mean. Example: *instead of* manpower, *use* labor, human resources, personnel;
2. Use nouns that encompass both man and woman. Example: *instead of* mankind, *use* humanity;
3. In making general statements, add women. Example: *instead of* man is vulnerable, *use* women and men are vulnerable.

b.) The Pronouns He and His

1. The plural form may be substituted. Example: *instead of*: The student must submit his paper on time, *use*: Students must submit their papers on time.
2. The first or second person may be used instead, when appropriate. Example: *Instead of*: As a government employee, he faces the problem of low wages, *use*: As government employees, we face the problem of low wages.
3. The pronoun his may be replaced by an article or dropped altogether. Example: *Instead of*: A researcher must acknowledge all his sources. *Use*: A researcher must acknowledge all sources.
4. The pronoun one may be substituted when warranted by the text. Example: *Instead of*: The individual often wonders how he can help in this time of crisis, *use*: One often wonders how one can help in this time of crisis.
5. The sentence may be recast in the form of an impersonal or passive construction. Example: *Instead of*: The student must submit his paper on time. *Use*: Papers must be submitted on time.
6. When you have to use third person pronouns throughout a long text:
 - 6.1 use both female and male [pronouns but vary the order];
 - 6.2 Alternate male and female pronouns throughout the text; and
 - 6.3 Repeat the noun or find a synonym.

c.) Non-Stereotype Gender Roles

1. Identify both women and men in the same way when it comes to profession or employment. Example: *Instead of:* stewardess/steward, poetess, Coed, *Use:* flight attendant, poet, student.
2. Do not represent women or men as occupying only certain jobs or roles. Example: *Instead of:* convention participants and their wives, *Use:* convention participants and their spouses.
3. Treat men and women in a parallel manner. Example: *instead of:* President Ramos and Cory, man and wife, *Use:* former presidents Aquino and Ramos, husband and wife or couples.
4. Avoid language that trivializes women and re-enforces stereotyped images. Example: *Instead of:* a big job, she did well for a woman, *Use:* a big job, she did well.
5. Avoid language that calls attention to the sex or sex role of the referent, e.g. "working mothers" or "working wives".

d.) Quoting Sexist Language

1. Paraphrase the quote, using non-sexist language, and give the original author credit for the idea.
2. Quote directly and add sic after the sexist part.
3. Partially quote the material, rephrase the sexist part and name the source.

e.) Non-use of sexist, vulgar, threatening, insulting and violent words by any person that degrades another person or groups.

CHAPTER V

MISCELLANEOUS AND FINAL PROVISIONS

Section 109. Inter-Agency Coordination. All agencies and offices of the government and the private sectors shall implement this code in coordination with the MGADFPS.

Section 110. Compliance Report. - Within six (6) months from the effectivity of this Code and every six (6) months thereafter, all Local Government departments and instrumentalities, shall submit a report to the MGADFPS on their compliance with this Code.

Section 111. Oversight Committee. - The MGADFPS shall serve as Oversight Committee to review this GAD Code and prepare or make recommendations to Sangguniang Bayan for possible amendments or revisions thereof after two (2) years

from effectivity of this Code. The Sangguniang Bayan may introduce amendments to this Code at its own discretion as a law-making body.

Section 112. Separability Clause. - If for any reason any portion or provision of this Code is declared unconstitutional or invalid, the other sections of the provisions hereof which are not affected thereby shall continue to be in force and effect.

Section 113. Supplementary Clause.- On matters not provided for in this Code, any existing applicable law and its corresponding implementing rules and regulations, executive orders and relevant issuances issued therefore shall apply in supplementary manner.

Section 114. Repealing Clause. – All ordinances, resolutions, memoranda, orders and other issuances which are inconsistent with this Code are hereby repealed or modified accordingly.

Section 115. Effectivity.– This Ordinance shall take effect upon its approval.

ENACTED this 27th of March, 2017 at Magsaysay, Davao del Sur.

Certified Correct:



DONNABEL JOY P. FEROLINO-MEJIA
Municipal Vice Mayor
Presiding Officer

Attested:



DANILO M. OMAGTANG
Secretary to the Sanggunian

Approved:

ARTHUR D. DAVIN, CE
Municipal Mayor

Date: _____