

Republic of the Philippines
PROVINCE OF LA UNION
City of San Fernando

TANGGAPAN NG SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 102nd REGULAR SESSION OF THE 20th SANGGUNIANG PANLALAWIGAN OF LA UNION HELD AT THE SPEAKER PRO-TEMPORE FRANCISCO I. ORTEGA PROVINCIAL LEGISLATIVE BUILDING AND SESSION HALL, PROVINCIAL CAPITOL, CITY OF SAN FERNANDO, PROVINCE OF LA UNION ON JUNE 11, 2015

Hon. Aureo Augusto Q. Nisce Vice-Governor / Presiding Officer

PRESENT:

Hon. Francisco "Kit" C. Ortega, Jr.	Member
Hon. Jonathan Justo A. Orros	Member
Hon. Joaquin C. Ostrea, Jr.	Member
Hon. Reynaldo M. Mosuela	Member
Hon. Victoria L. Aragon	Member
Hon. Nancy Corazon M. Bacurnay	Member
Hon. Robert B. Madarang, Jr.	Member
Hon. Christian I. Rivera	Member
Hon. Ruperto A. Rillera, Jr.	Member
Hon. Bellarmin A. Flores II	Member
Hon. Manuel "Mannix" R. Ortega, Jr.	Member

ABSENT:

Hon. Alfredo Pablo R. Ortega Member (OB)

ORDINANCE NO. 071-2015

THE GENDER AND DEVELOPMENT CODE OF THE PROVINCE OF LA UNION

*Authors: Hon. Victoria L. Aragon
Hon. Nancy Corazon M. Bacurnay
Hon. Francisco "Kit" C. Ortega, Jr.
Hon. Jonathan Justo A. Orros
Hon. Joaquin C. Ostrea, Jr.
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Hon. Bellarmin A. Flores II
Hon. Alfredo Pablo R. Ortega
Hon. Manuel Victor "Mannix" R. Ortega, Jr.*

EXPLANATORY NOTE

WHEREAS, the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields; however, the Filipino women continue to suffer from various forms of inequalities and discrimination, stemming from the economic, political and social divide;

WHEREAS, the Philippine Government is duty-bound to promote gender equality and women's empowerment as a vital element for addressing global concerns as mandated under UN Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW);

WHEREAS, in 2000, the United Nations General Assembly adopted the Millennium Declaration which led to the development of the Millennium Development Goals (MDGs) that seeks to address global development concerns as well as poverty by 2015;

WHEREAS, the result of the October 2010 Labor Force Survey (LFS) showed an increase in the Labor Force Participation Rate (LFPR) for females at 49.7% from 49.3% in 2009, and a very slight increase for males at 78.9% from 78.8% in 2009. However, female labor force participation rate still lags behind the male LFPR and this has been the report even for the last ten years; the number of employed and unemployed Filipinos in October 2010 was estimated at 36.5 million and 2.8 million, respectively; female employment was estimated at 14.2 million compared with 22.3 million males;

WHEREAS, in terms of health rights, women and men should be provided with access to information and options for planning the number and spacing of their children; interventions to promote women and girl-children's health, as well as to prevent incidences of violence against women should be actively pursued, especially by local government and civil society organizations;

WHEREAS, the 2008 **National Demographic and Health Survey (NDHS)** revealed that one in five women aged 15-49 has experienced physical violence since age 15; 14.4 percent of married women have experienced physical abuse from their husbands; and more than one-third (37%) of separated or widowed women have experienced physical violence, implying that domestic violence could be the reason for separation or annulment;

WHEREAS, despite statistics showing the increasing participation of women in political, civil and cultural spheres as well as the increasing functional literacy rate on women, there is still a need to fill the gaps in carrying out the State's obligations for gender equality and women empowerment;

WHEREAS, for women's rights and advocates in government and non-government organizations as well as national and local government leaders who adhere to these commitments, the Gender and Development (GAD) Code is a necessity as It has been proven that any efforts to sustainable development require the participation of women in all levels of policy-making and implementation;

WHEREAS, in an article published in the Philippine Star dated March 23, 2015, page D-1, the United Nations, based on the study presented during the UN 59th Commission on the Status of Women, claims that a more equal mix of men and women in the workforce not only boosts national economies but also increases job satisfaction and performance in workplaces; further, that it reduces poverty among women and children and increases economic independence for both men and women;

WHEREAS, the Philippines has been taking concrete steps towards the integration of gender and development concerns in the development process through multi-sectoral process in an effort to implement Republic Act 7192; guide the integration of the GAD perspective in development planning process and various stages of the project cycle; and address the issues of inadequate sex-disaggregated data and statistics for development planning and programming;

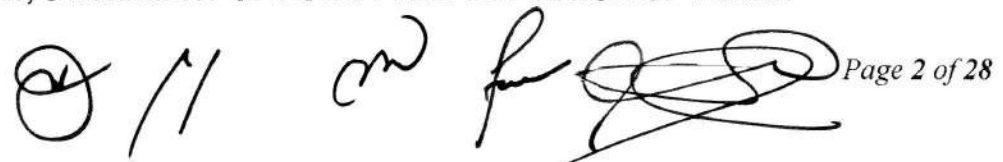
NOW, THEREFORE, on motion of Hon. Victoria L. Aragon, unanimously seconded;

Be it enacted by the Sangguniang Panlalawigan of the Province of La Union, in session duly assembled:

THE GENDER AND DEVELOPMENT CODE OF THE PROVINCE OF LA UNION

**CHAPTER 1
GENERAL PROVISIONS**

**ARTICLE 1
TITLE, STATEMENT OF POLICY AND DEFINITION OF TERMS**

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SECTION 1: TITLE -This ordinance shall be known and cited as the **GENDER AND DEVELOPMENT CODE OF LA UNION.**

SECTION 2: DECLARATION OF POLICY - The Code is a concrete manifestation of the Provincial Government's strong belief that for a nation to develop, women and men must be equal. It shall be its policy to uphold the rights of women, believe in their worth and protect their dignity as human beings.

The Code is aimed at mainstreaming GAD perspectives in all stages such as project identification, planning, implementation, monitoring and evaluation. It shall ensure fundamental equality between men and women before the law and shall provide equal opportunities to them as well as open a wider arena for women's active participatory role in the development process.

The Code hereby adopts the principles as defined and declared by the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to wit:

- a. Women have the right to the prevention of and the protection from all forms of violence and coercion against their persons, their freedom, their sexuality and their individuality.
- b. Women have the right to freely and fully participate individually or collectively in the political processes of their communities and the nation.
- c. Women have the right to the means for assuring their economic welfare and security.
- d. Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance with the Constitution and laws.
- e. Women have the right to choose their respective spouse in accordance with their values and preferences to maintain equality in marriage or its dissolution and obtain adequate support for the rearing and caring of their children.
- f. Women have the right to an adequate, relevant and gender fair education throughout their lives from childhood to adulthood.
- g. Women have the right to adequate nutrition and proper health care.
- h. Women have the right to humane living conditions.
- i. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings to build relationships, trust and mutuality.
- j. Women have the right to equality before the law, in principle as well as in practice.

It shall be its policy to formulate programs/strategies that will:

1. Mainstream gender concerns on a sectoral development plan, policies and programs.
2. Educate and instill awareness on gender issues and concerns to the constituents.
3. Create a coordinating mechanism among Government Organizations (GOs), People's Organizations (POs), and Non-Government Organizations (NGOs) in forging partnership for the implementation of programs and services for gender and developmental concerns.
4. Recommend to the Department of Education (DepEd) to incorporate in its curricula at all levels gender sensitivity orientation.

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5. Provide gender responsive policy on evacuation centers focusing on the special needs and roles of women and children.
6. Involvement in responsible parenthood programs, awareness of their role in the family, health, childcare, nutrition and other projects that enhance the well-being of the wife and children.
7. Empower women from the grassroots level and encourage their participation in planning, implementation, monitoring and evaluation of development programs and projects.
8. Set up the Women and Children Protection Desk in the province to cater to the needs of women and children who are survivors of violence against women and children (VAWC).
9. Increase the number of women leaders in every municipality as provided for in the Magna Carta for Women through the implementation of capability-building programs.
10. Assist in the organization of women in indigenous communities and other marginalized group of women and ensure their participation in development programs as well as provide access to credit financing, productive skills and labor-saving technologies.

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

- 3.1. **Battering** – a series of physical, emotional and psychological abuse. It is a repeated and habitual cyclic pattern as means of intimidation and imposition of the batterer's will and control over the survivor's life.

The following are kinds of battering behavior:

1. **Sexual battering** – this includes physical attacks on the women's breast/genital or forced sexual activity accompanied by either physical violence or the threat of physical violence.
2. **Psychological battering** - it includes threats of suicide and violence against the women or their families; punching holes in walls; threatening to take the children away, to deport wives with foreign citizenship, to kidnap children or take them to a foreign 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 statement and threats of abandonment and expulsion from the conjugal dwelling.
3. **Economic battering** – this includes deprivation of women in economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination as well as premeditated and intentional destruction of property and pets of the victim.

- 3.2. **Benefit Dance or Disco** – refers to a dance in the locality where women are commodified for fund-raising purposes.
- 3.3. **Commodification of Women** –a practice which puts women in a subordinated situation which results in their treatment as sexual commodities.
- 3.4. **Cyberspace** - the online world of computer networks including the internet.
- 3.5. **Database** –a collection of information that is organized so that it can easily be accessed, managed and updated.

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- 3.6. Discrimination against Women – any gender-based distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.
- 3.7. Feminization of Poverty – a condition when gap between the rich and the poor widens and women bear the brunt of economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical and strategic needs of women.
- 3.8. Fund-Raising Initiatives – refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit dance or disco, premier showing of movies, or any similar fund-raising undertakings where women are used as donor prizes, substitute for cash prizes won, a companion package for an award, prize, or recognition, in any manner, come-on display, or exhibit which depicts women as central, partial, or special focus in order to raise funds.
- 3.9. Gender – set of characteristics, roles, expectations attributed to women and men by society.
- 3.10. Gender and Development (GAD) – as defined in RA 9710 otherwise known as Magna Carta for Women, refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.
- 3.11. Gender Equality – as defined in RA 9710 otherwise known as Magna Carta for Women, refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights.
- 3.12. Gender Mainstreaming – as defined in RA 9710 otherwise known as Magna Carta for Women, refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.
- 3.13. Gender Perspective – way of viewing issues and problems that take into consideration the different realities of women's and men's lives, and recognizing that there is an unequal relationship between the two.
- 3.14. Gender Planning – means taking account of gender issues in planning. In development planning, gender issues are recognized in the identification of problems addressed in development objectives.
- 3.15. Gender Sensitive – having an understanding of the marginalized position of women and consciously challenging the attitudes and behavior that reinforce women's subordinate status.
- 3.16. Gender Sensitization – is an experiential and critical process of learning and unlearning by an individual, female or male, of the causes and effects of the culturally determined roles of women and men.

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- 3.17. Indecent Shows – are shows which include nude and/or other provocative gestures which further project and exhibit men and women as sex objects.
- 3.18. Indigenous People – a group of people who have continuously lived as organized community in communally bounded and defined territory, and who have under claims of ownership since time immemorial, occupied, possessed and utilized such territories sharing common bonds of language, customs, traditions and other distinctive cultural traits. They are regarded as indigenous on account of their descent from the populations who inhabited the country, at the time of conquest or colonization and who retain some or all of their own social, economic, cultural and political institution and may have been displaced from their traditional domains or who may have resettled outside their ancestral domain.
- 3.19. Land-based Projects – are activities designed systematically in order to provide women the opportunity to have full access and control over the maximum utilization of land and other indigenous resources.
- 3.20. Minor – as provided under the Family Code, as amended, refers to person below eighteen (18) years of age.
- 3.21. Non-traditional occupation - is any occupation in which women or men comprise less than 25% of the workforce.
- 3.22. Other Places of Amusement – include all other places of amusement not specifically enumerated or otherwise provided for in this Code, including but not limited to night clubs, disco houses, minus-one or sing along houses, bars or beer houses/garden , fast food centers showing sports competitions, replay shows directly hooked up via satellite or those showing video cassette films/movies and other places of amusement where one seeks admission to entertain himself whether by seeing or viewing or by direct participation.
- 3.23. Persons With Disabilities (PWDs) - are those suffering from restriction or different abilities, as a 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;
- 3.24. Physical Plan – refers to the physical structure or design of an office or building in accordance with existing laws and policies.
- 3.25. Places of Amusement – include theaters, cinemas, concert halls , circuses, casinos and other places of amusement where one seeks admission to entertain oneself by seeing or viewing the show or performances.
- 3.26. Pornography – written, graphic or other forms of communications intended to excite lascivious feelings.
- 3.27. Prostitution – is the sale, purchase and exchange of men, women and minors for sexual exploitation for cash profit or other economic considerations by an individual, including but not limited to the pimp, procurer of the service, parents, owners of business establishments, such as disco bars, sauna bath, massage clinics/parlors, hotels and restaurants, and any other person who use various schemes to prostitute men, women and minors.
- 3.28. Psychological Program – an intervention using a system approach to conditions of women as it views women's differentiated needs in a social context.
- 3.29. Reproductive Health – as defined in the International Conference on Population and Development and World Health Organization, and affirmed in Beijing Conference, and the Reproductive Health Law, 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 functions and process. It constitutes ten (10) elements, namely:

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- 3.29.a. Maternal and Child Health and Nutrition.
 - 3.29.b. Responsible Parenthood.
 - 3.29.c. Prevention and Treatment of Reproductive Tract Infection (RTIs) including STDs, HIV and Nutrition.
 - 3.29.d. Prevention and Management of Abortion Complications.
 - 3.29.e. Education and Counseling On Sexual Health.
 - 3.29.f. Breast and Reproductive tract cancers and other gynecological conditions.
 - 3.29.g. Prevention and treatment of infertility and sexual disorders.
 - 3.29.h. Men's Reproductive Health.
 - 3.29.i. Adolescent Reproductive Health.
 - 3.29.j. Violence Against Women.
- 3.30. Sex trafficking – is a covert or overt recruitment of men, women and children into the sex trade industry whether local or international.
- 3.31. Sexual Harassment – is a form of misconduct involving an act or a series of unwelcome sexual advances, request for sexual favors, or other verbal or physical behavior of a sexual nature, made directly, indirectly or impliedly.
- 3.32. Sexuality – as defined in RA 9710, refers to the expression of a person's thoughts, feelings, sexual orientation and relationships as well as the biology of the sexual response system of the person.
- 3.33. Violence against women –any act of gender–based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. It shall include, but not limited to:
1. Physical, sexual and psychological violence occurring in the family and other close relationships, including battering, sexual abuse of female in the household, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
 2. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;
 3. Physical, sexual and psychological violence perpetuated or condoned by the state, wherever it occurs;
 4. Violation of the human rights of women in situation of armed conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy;
 5. Forced sterilization and forced abortion, coercive / forced use of contraceptives, prenatal sex selection and female infanticide; and
 6. Feminization of poverty.
- 3.34. Women as Sex Objects – a condition when women become things or properties to be manipulated, utilized or used for one's sexual desire or interest, usually in exchange of money or goods where women have no control or power to reject such utilization or use.

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**ARTICLE 2
GENDER AND DEVELOPMENT PROGRAMS**

SECTION 4: GENDER SENSITIVITY ORIENTATION

The Provincial Government of La Union (PGLU) shall develop modules and form a speaker's bureau to give trainings in gender sensitivity orientations and para-legal training to all barangay officials, municipal officials and employees. Likewise, all schools, offices, establishments, departments and agencies within the territorial jurisdiction of the Province of La Union should be given gender sensitivity orientation and training to equip them with theoretical and practical knowledge on gender issues and concerns to be able to plan, implement and monitor and evaluate programs, plans and activities.

Awareness program on men's role in the family should be included in the gender sensitivity orientation module, especially so that the United Nations Population Fund (UNFPA) defines the new father as one who supports the mother during pregnancy; has close relationship with children; and shares in household tasks.

SECTION 5: SUPPORT TO GENDER STUDIES

An initial amount of P500,000.00 is hereby appropriated from the Gender and Development (GAD) fund for the preparation of research designs and documentation as well as the establishment, maintenance and utilization of sex-disaggregated database with gender-related information that could be used for the province's data bank for situational assessment of women's concerns in La Union.

SECTION 6: POPULAR EDUCATION MATERIALS FOR GENDER

The amount of P500,000.00 is hereby initially appropriated for the preparation of gender fair info-reading materials for dissemination to all barangays, schools and offices in the province. These reading materials shall be in popular form, like comics, translated in three languages: English, Filipino and Iloko.

SECTION 7: SUPPORT FOR WOMEN AND CHILDREN DURING CALAMITIES

A representative from the Gender Multi-Sectoral Council shall have a seat in the Provincial Disaster Risk Reduction and Management Council. Women and children's special needs during calamities should be taken into paramount consideration especially in evacuation centers. A separate room shall be provided for women and their children. Women, children, elderly and persons with disabilities should be given priority during evacuation, distribution of relief and rehabilitation. A temporary Day Care Center should be set up in every evacuation center to take care of the needs of the children which will be administered by trained Day Care Workers supported by trainee Day Care Workers.

Day Care Workers from each barangay must be properly trained on the appropriate handling/management of evacuation centers.

SECTION 8: COMMUNITY-BASED ENVIRONMENT

Both men and women shall participate in pollution control; zero waste technology development; management and preservation of forests, marine and aquatic resources as well as indigenous reforestation.

SECTION 9: OVERSEAS FILIPINO WORKERS

A survey should be conducted on Overseas Filipino Workers (OFWs) and their families who are from the Province of La Union to determine their needs and support services that the Provincial/Municipal/City Government can extend to them. Results of the survey shall be included in the database as provided in Section 5 of this Code.

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The Provincial Social Welfare and Development Office (PSWDO) shall form an organization of the families of the OFWs from La Union and an employee of said office shall be designated as focal person to take care of their needs.

SECTION 10: NON- TRADITIONAL OCCUPATION TRAINING

Women shall be given opportunity through scholarship grant from the PGLU to acquire non-traditional occupation training in those related to vocational, science and technical courses. Financial assistance from the Skills Development Program of the province shall be extended to women who will avail themselves of non-traditional courses from Technical Education and Skills Development Authority (TESDA).

SECTION 11: CREATION OF A PAGEANT REGULATORY BOARD

Holding of any form of beauty contests must be strictly regulated. For this purpose, a Pageant Regulatory Board in every municipality/city and the province shall be created whose function is to set and promulgate rules and regulations/guidelines that shall be adhered to in the conduct or staging of shows or beauty contests involving women, men, children or even homosexuals.

The Pageant Regulatory Board in the provincial level shall be composed of the following:

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| Chairperson | Governor |
| Vice-Chairperson | Chairperson, Committee on Social Services, Women and Family Welfare & Development and Responsible Parenthood and Poverty Alleviation of the Sangguniang Panlalawigan |
| Members | <ul style="list-style-type: none">• Chairperson, Committee on Laws, Rules and Privileges of the Sangguniang Panlalawigan• Provincial Administrator• Provincial Tourism Officer• Representative from the GAD Council• Accredited NGO on Women and Children• DepEd Representative• Church Representative• Representative of the League of Municipalities of the Philippines (LMP)• Representative from the Indigenous Peoples |

The Pageant Regulatory Board in the municipal/city level will be composed of the following:

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| Chairperson | Mayor |
| Vice-Chairperson | Chairperson, Committee on Social Services, Women and Family Welfare & Development and Responsible Parenthood and Poverty Alleviation of the Sangguniang Bayan/Panlungsod or its equivalent or counterpart |
| Members | <ul style="list-style-type: none">• Chairperson, Committee on Laws, Rules and Privileges of the Sangguniang Bayan/Panlungsod or its equivalent or counterpart• Municipal Administrator• Municipal Tourism Officer• Representative from the GAD Council• Accredited NGO on Women and Children• DepEd Representative• Church Representative• Representative of the Liga ng mga Barangay• Representative from the Indigenous Peoples |

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**ARTICLE 3
SUPPORT SERVICES**

SECTION 12: SUPPORT FOR MARKET VENDORS

A daycare center or a child-minding center for market vendors' children, whose age are below four (4) years old may be established in all public markets where market vendors can leave their children while they are attending to their business during market hours. A private room or a secluded corner should also be provided for vendors who are breastfeeding.

Children of market vendors, whose age are below four (4) years old shall not be allowed to roam around the market but must be enrolled and placed under the care of the nearest day care center from the market.

A day care worker maybe assigned to the said day care center and the honorarium may come from the GAD fund of the municipality/city.

SECTION 13: SUPPORT FOR WOMEN FISHERFOLKS AND WOMEN IN AGRI-BUSINESS

The PGLU shall assist women in agri-business and women fisherfolks in marketing their agricultural and aquatic products by providing trainings for marketing strategies.

SECTION 14: SUPPORT TO WOMEN-SURVIVORS OF VIOLENCE

The municipal/city social worker and/or a policewoman in-charge of the PNP Women and Children Protection Desk (WCPD) should be available 24/7 to attend to the problems of women and children who are victims of violence. The victim should be brought to the Women and Children Development Center, if the situation requires.

SECTION 15: WOMEN AND CHILDREN DEVELOPMENT CENTER (WCDC)

There shall be established a Women and Children Development Center and made operational 90 days after the approval of this code to serve as a temporary center with appropriate support services for women and children in crisis under the management of the Provincial Social Welfare and Development Office (PSWDO) and WCPDs of the La Union Provincial Police Office (LUPPO).

Women and children who are survivors of all forms of violence shall undergo a psychological program as part of the services to be given by the Women and Children Development Center.

The amount of One Million Pesos (Php1Million) is hereby initially appropriated from the GAD Fund for the operation of the Women and Children Development Center.

SECTION 16: COURT HEARINGS OF RAPE CASES, INCEST AND OTHER FORMS OF VIOLENCE AGAINST WOMEN AND CHILDREN

All investigations and hearings of all cases of violence against women and children conducted at the Police Station, Prosecutor's Office or the sala of a judge shall allow the survivor's support group, representative of GO, PO or NGO to be present inside the court room, office of the police investigator and/or office of the prosecutor as observers and to provide moral support to the survivor subject to applicable rules and regulations.

SECTION 17: GENDER MULTI-SECTORAL COORDINATING COUNCIL

A Gender Multi-Sectoral Coordinating Council shall be created within sixty (60) days after the effectivity of this Code. This Council shall serve as the coordinating and advisory body of the Provincial Government of La Union in designing programs geared towards gender and development. The Council shall be composed of the following:

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| Chairperson | Governor |
| Vice Chairperson | Representative of Accredited NGOs on Women |
| Members | ▪ Representative from the Church |

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- Provincial Social Welfare Development Officer (PSDWDO)
- PNP Personnel In-Charge of the PNP Women's Desk
- Representative from the Commission on Human Rights
- Representative from the Department of the Interior and Local Government (DILG)
- Sangguniang Panlalawigan Chairperson on Social Services, Women and Family Welfare and Development, Responsible Parenthood and Poverty Alleviation
- Sangguniang Panlalawigan Chairperson on Laws, Rules and Privileges
- Representative of the Market Vendors Association
- Representative of the Provincial Association of Barangay Health Workers (BHW)

SECTION 18: CREATION OF TASK FORCE AGAINST DOMESTIC VIOLENCE AND TRAFFICKING IN WOMEN AND CHILDREN, ITS POWERS AND FUNCTIONS

A Task Force Against Domestic Violence and Trafficking in Women and Children – an inter-agency, multi-discipline and multi-sectoral task force against domestic violence and trafficking in women and children shall be established to be composed of the following:

Chairperson
Co-Chairperson
Members

- Governor
Representative from the Department of Justice (DOJ)
Representatives from:
- Department of Social Welfare and Development (DSWD)
 - Department of Foreign Affairs (DFA)
 - Department of Labor and Employment (DOLE)
 - Philippine Overseas Employment Administration (POEA)
 - Bureau of Immigration (BOI)
 - Philippine National Police (PNP)
 - Philippine Council for Women (PCW) – Provincial Chapter
 - Three (3) representatives from Non-Governmental Organizations (NGOs), who shall be composed of one (1) representative each from among the sectors

The Task Force Against Domestic Violence and Trafficking in Women and Children in La Union shall have the following powers and functions:

1. Create a comprehensive program to prevent domestic violence and trafficking in women and children;
2. Conduct a massive information and education campaign;
3. Undertake guidance and counseling of foreign nationals;
4. Refer traffic survivors to appropriate agencies;
5. Formulate a program for returning victims of trafficking in cooperation with the offices of the Department of Labor and Employment (DOLE), Technical Education and Skills Development Authority (TESDA), and other government agencies that can provide trainings for livelihood development.

**ARTICLE 4
POLITICAL AND PUBLIC SPHERE OF WOMEN**

SECTION 19: DECLARATION OF MARCH 8 OF EVERY YEAR AS PROVINCIAL WOMEN'S DAY

March 8 of every year is hereby declared as Provincial Women's Day, a special public working holiday in the Province of La Union pursuant to the Proclamation by the President of the Republic of the Philippines in conformity with RA 6949 which declared March 8 of every year as special public working holiday being the National Women's Day.

There shall be a coordinated provincial, municipal/city, barangay level activities for women with emphasis on laws and current issues affecting and influencing women as well as

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activities that promote the status of women in La Union. These activities shall be in congruence with the principles in the Joint Memorandum Circular (PCW, DILG, DBM, NEDA) 2013-01 or the Guidelines on the Localization of the Magna Carta of Women. All component LGUs of the province should furnish copies of their activities and accomplishment reports to the Gender Multi-Sectoral Coordinating Council of the Province.

SECTION 20: WOMEN'S SUMMIT

A Women's Summit shall be held at least once every year which shall be convened and managed by the Gender Multi-Sectoral Coordinating Council to review women development in all aspects of community life and make appropriate recommendations for actions thereon. Part of the summit's objective is for the attainment of higher outcomes such as gender equality, reduction of gender inequality and the elimination of discrimination against women with representation from various sectors.

The amount of P800,000 is hereby appropriated for this purpose and shall be sourced out from GAD fund.

SECTION 21: ORGANIZATION OF WOMEN

The PGLU shall support and encourage the formation of community-based organizations of women including sectors from the indigenous peoples, fisherfolks, rural women, urban poor, women workers in the informal sector, victims of calamities and disasters and others and facilitate their accreditation with the Sangguniang Panlalawigan.

SECTION 22: WOMEN'S PARTICIPATION IN LOCAL GOVERNANCE

The PGLU shall promote gender equality on qualified women and men for opportunity to assume key positions at all levels of local government, whether elective or appointive. This should form part of the government's efforts to eliminate barriers to women's participation in the public sphere.

The PGLU shall endeavor to ensure the representation and participation of women in the local legislative bodies pursuant to law.

These women representatives shall be elected from among the accredited women's organizations in the province.

SECTION 23: REPRESENTATION OF WOMEN IN SPECIAL BODIES

The PGLU shall ensure that women are duly represented in the Provincial Development Council and IN all local special bodies in the provincial, city, municipal and barangay levels to strengthen government recognition of women's potentials in the formulation and planning of local development programs in accordance with existing laws.

SECTION 24: NATIONAL CHILDREN'S MONTH

The Province of La Union shall observe the month of October as National Children's Month and shall undertake projects and activities in observance thereof pursuant to Proclamation Number 267 dated September 30, 1993.

**ARTICLE 5
LABOR AND EMPLOYMENT**

SECTION 25: EQUAL ACCESS TO EMPLOYMENT, TRAINING AND PROMOTION

No one shall be denied of employment and training as well as promotions on account of gender, age, ethnicity, creed, religion and civil status as prescribed in the Labor Code, as amended by R.A. 6715.

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SECTION 26: WAGE AND BENEFITS

Every employer shall comply with the minimum wage as prescribed by the Regional Tripartite Wage and Productivity Board, and shall grant all benefits to all employees such as maternity, paternity, sick and vacation leaves, retirement, and termination and other benefits provided by law.

SECTION 27: FACILITIES AND SUPPORT SYSTEM FOR ALL EMPLOYEES

The PGLU shall ensure the safety and health of women employees. All government offices and business establishments shall:

- a. Build separate clean toilet rooms, lavatories, lounge for men and women, and provide at least a dressing room for women;
- b. Construct a home care center in the work place to temporarily cater to breastfeeding, child-rearing and early childhood care for working parents while on their respective jobs.

SECTION 28: ORIENTATION ON SEXUAL HARASSMENT

All government agencies and private offices, commercial/industrial establishments located in the Province shall conduct an annual orientation on sexual harassment and other gender-related laws for their respective employees. Certificate of Compliance shall be submitted to the Provincial Gender and Development Resource and Coordinating Office.

SECTION 29: GENDER-SENSITIVE PHYSICAL PLAN

A physical plan appropriate for gender-sensitive environment shall be adopted by all offices, agencies and establishments or companies which shall prevent sexual harassment, sexual abuse and other forms of maltreatment in the work place.

SECTION 30: REGISTRATION OF DOMESTIC WORKERS OR KASAMBAHAY

All municipal/city governments in the Province of La Union shall come up with the annual survey of domestic workers or kasambahay in their barangays to monitor sexual harassment, sexual abuse and other forms of maltreatment.

Households shall be required to register their domestic workers or kasambahay with the concerned offices of the municipal, city or barangay for identification and other purposes. Employers must provide their domestic workers or kasambahay recreation day or day off at the terms and conditions usually agreed upon by both parties. All domestic workers shall be enrolled as members of Social Security System in accordance with the Kasambahay Law.

**ARTICLE 6
HEALTH RIGHTS**

SECTION 31. RIGHT TO HEALTH

Article 12 of the UN International Convention on Economic, Social and Cultural Rights provides that women's right to health, which includes women's reproductive rights, is a basic fundamental human right. In recognition of the fact that women's reproductive roles and social expectations have made health policies, programs and services to focus more on pregnancy and birth related cases rather than on a more holistic approach, the PGLU shall respect and promote a rights-based approach to women and men's health by considering their respective specific health needs at every stage in their lives. It shall also promote couples' shared responsibilities of childbirth and child care.

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SECTION 32. WOMEN'S CONTROL OVER THEIR BODIES

Women's decision to attain healthy sexual development and achieve their reproductive intention shall be given appropriate support and guidance by all health professionals, private and public, at a very minimal cost.

Consultation between husband and wife on matters affecting the latter's body should be necessary but in case of differences, the woman's decision should prevail.

SECTION 33: REPRODUCTIVE HEALTH

The PGLU shall fully implement its programs on reproductive health as provided in the Responsible Parenthood and Reproductive Health Act of 2012.

SECTION 34: UPGRADING OF HEALTH CARE DELIVERY SYSTEM

Quality health care and services that are not discriminatory on account of gender, age, religion, creed and ethnicity shall be implemented in the Province of La Union.

SECTION 35: ACCESS TO SAFE WATER

All barangays in the Province of La Union shall provide easy access to water supply. Appropriate water systems shall be installed, if possible, right at their tap to ease women's and children's work-load especially in fetching water for household use.

SECTION 36: FREE MEDICAL CHECK-UP FOR WOMEN

The PGLU in partnership with the component LGUs shall provide free medical check-up for women at least once a year which includes PAPSMEAR and MAMMOGRAM TEST for the prevention of breast cancer and cervical cancer and other gynecological related diseases.

The fund will be sourced out from the GAD fund for the purchase of medical equipment for the free medical check-up.

SECTION 37: PREVENTION OF DRUG ABUSE AND THE PROLIFERATION OF ILLICIT DRUGS

A Special Task Force shall be created and sustained by the Provincial Government for the prevention of drug abuse and the proliferation of illicit drugs in the province as provided in R.A. 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002.

**ARTICLE 7
EDUCATION RIGHTS**

SECTION 38: WOMEN LITERACY AND ADULT EDUCATION

In coordination and cooperation with the Department of Education through the Alternative Learning System (ALS), PSWDO/MSWDO, women literacy and adult education shall be held on Saturdays and Sundays or at any schedule convenient to women/adult enrollees.

Any one desiring to engage in functional and practical education shall be enlisted in the Adult Education Program which shall be set-up in all municipalities in the province.

SECTION 39: PROMOTION OF GENDER SENSITIVE CURRICULUM

In coordination and cooperation with the Department of Education, all the schools in the Province of La Union shall actively promote gender sensitive professional school counseling and career education programs to encourage women to pursue academic and technical courses as well as non-formal and non-traditional classes under a gender-sensitive curriculum in order to widen their future career opportunities.

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SECTION 40: MONITORING AND REPORTING OF STEREO-TYPED PORTRAYAL OF ROLES OF WOMEN AND MEN IN EDUCATIONAL MATERIALS

The Gender Multi-Sectoral Development and Coordinating Council shall coordinate closely with the DepEd, CHED, Division of Schools and other network of schools in monitoring and reporting of stereo-typed portrayal of roles of women and men as projected in any form of educational material.

**ARTICLE 8
SOCIO-ECONOMIC BENEFITS FOR WOMEN**

SECTION 41. GENDER-RESPONSIVE AND COMPREHENSIVE LIVELIHOOD PROGRAM

The PGLU shall allocate funds for socio-economic programs for poor women and men that include gender-responsive livelihood skills and values training seminars. The Comprehensive Livelihood Program shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

SECTION 42: CAPITAL ASSISTANCE FOR WOMEN

The PGLU shall establish a Capital Assistance Program and/or subsidy to low-income families or accredited women's organizations with interest rates similar to those availed of by members of cooperatives.

SECTION 43. ACCESS TO INVESTMENT AND LOAN PROGRAMS

Local banks and other financial lending institutions are hereby enjoined to extend loan assistance to women engaged in small to medium scale enterprises as well as to displaced industrial workers under the principle of self-reliance and hard work.

SECTION 44: PROMOTION OF LAND-BASED PROJECTS

Land-Based Projects are activities designed systematically in order to provide women the opportunity to have full access and control over the maximum utilization of land and other indigenous resources.

The PGLU shall promote and support land-based projects ensuring food security for rural women utilizing science, gender-responsive and appropriate technologies and instilling collectivism.

SECTION 45: ACCESS TO SCIENCE AND WOMEN FRIENDLY ALTERNATIVE TECHNOLOGY EDUCATION

The Office of the Provincial Agriculturist in cooperation with the Department of Science and Technology (DOST) and other related line agencies shall establish a science and gender-friendly alternative technology services center for rural women in each municipality/city in the province.

**ARTICLE 9
SPECIAL SECTORAL CONCERNS**

SECTION 46: PERSONS WITH DISABILITIES (PWDs)

The PGLU shall provide financial assistance to persons with disabilities in the Province of La Union.

There shall be a Special Scholarship Program of the PGLU to cater to persons with disabilities for them to avail themselves to appropriate program/curricula from TESDA. A

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financial assistance in the amount of P1,000.00 per month as allowance for them will be sourced out from GAD fund.

The Province of La Union in coordination with TESDA shall offer appropriate vocational/technical curricula to persons with disabilities.

SECTION 47: ADVOCACY ON THE RIGHTS OF PERSONS WITH DISABILITIES

The PGLU and the Gender Multi-Sectoral Development & Coordinating Council and all line agencies shall conduct and support active advocacy on the rights of persons with disabilities.

SECTION 48: CREATION OF EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES

The PGLU shall develop creative employment opportunities for persons with disabilities recognizing their differentiated conditions and full potentials as human beings.

SECTION 49: REPORTING OF HARASSMENT AGAINST PERSONS WITH DISABILITIES

The PGLU shall require all component LGUs to monitor and report cases of harassment committed against persons with disabilities.

SECTION 50: COMMITTEE ON PERSONS WITH DISABILITIES

Each municipality/city shall create a committee on persons with disabilities under the Municipal/City Development Council to advance the interest of this special group of citizens.

SECTION 51: COMMITTEE ON SENIOR CITIZENS

Each municipality/city shall create a committee on senior citizens under the Municipal/City Development Council to advance the interest of this special group of citizens.

SECTION 52: SUPPORT FUNDS FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES

Funds shall be allocated as assistance for routine physical check-up, social group work programs and other appropriate social activities for these special groups of citizens.

SECTION 53: SUPPORT TO WOMEN IN DETENTION

Rights of all women detainees shall be protected by:

- a. Ensuring the speedy trial of their cases;
- b. Designing an appropriate program to their specific needs and problems as detainees; and
- c. Providing them with separate structures for detention and rehabilitation.

SECTION 54: RESPECT FOR WOMEN'S SEXUAL PREFERENCE

Women's rights to sexual preference shall be respected and protected.

**ARTICLE 10
WOMEN AND CHILDREN SUPPORT SYSTEM**

SECTION 55: DAY CARE CENTERS

The PGLU shall ensure that day care centers are created in every barangay. The honoraria of day care workers should not be lower than P1,500.00 per month. The augmentation of the honoraria should come from the GAD Fund of the barangay.

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All Day Care Workers shall undergo Gender Sensitivity Training and Staff Development Trainings.

The Offices of the Provincial Planning and Development Coordinator and Provincial Social Welfare and Development Officer shall create an evaluation matrix for all day care workers at the end of the year to ensure the quality of service that is given to the children to be implemented by the PSWDO.

SECTION 56: SUPPORT TO WOMEN AND CHILDREN

All organizations of women in every municipality/city/barangay shall apply for accreditation from the women's coordinating council. Only accredited women's organization should be given support by the LGU concerned in terms of training, financial assistance or alternative livelihood program. The coordinating council of every municipality/city/barangay shall establish criteria for accreditation.

CHAPTER 2 MISCELLANEOUS AND PENAL PROVISIONS

ARTICLE I VIOLENCE AGAINST WOMEN AND CHILDREN

SECTION 57: DOMESTIC VIOLENCE

All Provincial/Municipal/City/Barangay Officials, Social Workers and Policewomen should undergo a seminar on Republic Act 9262, otherwise known as the "Anti-Violence Against Women and Children Act of 2004" including its Implementing Rules and Regulation and other pertinent laws, rules and regulations on domestic violence including provincial and/or municipal/city ordinances and policies on the subject.

SECTION 58: SEX TRAFFICKING IN WOMEN

It is unlawful for any person, association, cult, religion or organization or similar entities to commit the following acts:

1. Establish or carry on a business for the purpose of exploiting women and children for sex, sex slavery, sex trade, sex tours and other immoral and illegal activities.
2. Advertise, publish, or distribute or cause the advertisement, publication, printing or distribution of any brochure, or propaganda materials to promote the above mentioned prohibited acts.
3. Solicit, enlist, attract or induce any woman to join any club, association or organization whose objective is to match women for marriage to foreigners either on the mail order basis or thru personal introduction or cyberspace.
4. Use the postal services, cyberspace, satellite TV, broadband communications; Direct Broadband Satellite (DBS), Direct-To-Home Satellite TV and CAT-V to promote the above mentioned prohibited acts.
5. To buy or sell a woman or any of her body parts for profit; for experiments, research or the like without her consent.

Body parts shall mean all parts of the body of a woman including that of her hair, nails, breastmilk and even the blood in the placenta that is present during pregnancy.

6. To act as a procurer of a sex worker.
7. To threaten by use of violence or force a woman or minor to become a mail order bride.

8. To encourage, influence or recruit women or minors to work abroad or in other provinces or cities in the Philippines for a particular job on a promise of high fees, but instead landed as prostitute, domestic help or household help or the like.

SECTION 59: SEX TRADE

It is unlawful for an agency or person to engage in keeping women and minors for sex for a fee. Violations hereof shall be prosecuted accordingly as provided under Section 103 of this Code.

SECTION 60: SEX TOURS

No hotels, beach resorts, sauna baths, massage parlors and related establishment shall be allowed to operate as conduit for sex tours. Violations of this provision shall be prosecuted accordingly as provided under Section 103 of this Code.

SECTION 61: COMMISSION OF RAPE AND ITS PENALTY

In accordance with RA 8353, rape is committed:

1. By a man who shall have a carnal knowledge with a woman under any of the following circumstances:
 - a. through force, threat or intimidation;
 - b. when the offended party is deprived of reason or otherwise unconscious;
 - c. by means of fraudulent machination or grave abuse of authority; and
 - d. when the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present
2. 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 by inserting any instrument or object into the genital or anal orifice of another person.

Violations hereof shall be prosecuted accordingly as provided under Section 103 of this Code.

SECTION 62: RAPE IN MARITAL RELATIONS

Intimate or marital relations shall not be a legal impediment to any complaint for rape.

SECTION 63: WHO MAY FILE A COMPLAINT

Complaint of rape may be filed by any of the following persons:

- a. the offended party;
- b. his/her parents or legal guardian;
- c. his/her grandparents or collateral relatives;
- d. PNP officer or social worker of the DSWD or a duly licensed child caring institution, orphanage, home for the aged, mental hospital or other institution to which the offended party is committed;
- e. A concerned responsible resident of the barangay where the crime was committed but only if the other person mentioned has given his/her consent.

SECTION 64: SUPPORT FROM LAW ENFORCER

The concerned law enforcer or his / her authorized alternate, preferably of the same sex as the victim, upon receipt of a complaint for rape, shall:

- a. Immediately conduct an investigation within 24 hours;
- b. Arrange counseling and medical services for the offended party;

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- c. Gather evidence for the arrest and prosecution of the offender; and
- d. Make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within 36 hours from time of filing, regardless of his/her evaluation of the case.

SECTION 65: INVESTIGATION / EXAMINATION OF RAPE SURVIVORS

It shall be the duty of the investigating office or the examining physician to ensure that only persons expressly authorized by the examining physician and/or the rape survivor are allowed inside the room where the investigation or medical or physical examination is being conducted. Unnecessary because only those allowed may enter the room.

SECTION 66: SUSPENSION OF GOVERNMENT OFFICIAL OR EMPLOYEE CHARGED OF RAPE

A government official or employee charged of rape shall be immediately placed under preventive suspension for a period of sixty (60) days provided that a verified complaint has been filed against him.

His superior officer shall facilitate the free, speedy, and objective investigation of the complaint and shall ensure the protection of the complainant.

SECTION 67: PROTECTIVE MEASURES

At any stage of the preliminary examination or investigation, and trial of a complaint for rape, the following protective measures shall be observed:

- a. The right of the offended party to a close door hearing unless he/she expressly waived such right;
- b. The right of a social support group to witness hearing as expressly allowed or requested by the offended party;
- c. Non-disclosure of the name and personal circumstances of the offended party, or any information tending to establish his or her identity;
- d. Any other analogous measures that will ensure the protection of the identity of the offended party and his or her family from undue and sensationalized publicity.

**ARTICLE II
SEXUAL HARASSMENT**

SECTION 68: BEAUTY CONTESTS

Beauty Contest is a competition that is focused on the physical beauty of its contestants which includes personality, intelligence, and talent.

Beauty Contests which would indecently expose, commodify, abuse, humiliate and treat the contestants who may either be men, women and minors as sex objects shall be strictly prohibited in schools, communities, barangays, municipalities, and in the Province.

The organizers of Beauty Contests shall secure permits from the Pageant Regulatory Board before the affair.

Children shall not be used as contestants in popularity contests in all schools, and in all component LGUs in the province.

Any violation of this Section by any organizers of beauty and/or popularity contests such as business organizations, departments or agencies, both public and private, educational institutions, charity or welfare organizations, provincial, municipal, city and barangay officials shall be liable to prosecution and upon conviction, shall be subject to a fine of Five Thousand Pesos (Php 5,000.00) or imprisonment of one (1) year, or both in the discretion of the court.

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SECTION 69: REGULATING THE PRINTING, PUBLICATON, DISPLAY AND DISTRIBUTION OF PORNOGRAPHIC SCENES ON MOVIES/TV, TRAILERS/SHOWS, POSTERS, BILLBOARDS AND OTHER MATERIALS AND SIMILAR LITERATURE. AND OTHER VISUAL EFFECTS

Printing, publication, display and distribution of pornographic scenes on movie/televitions, trailers/shows, posters, billboards, literature and other visual materials which treat women as sex objects and commodities shall be regulated in accordance with the rules and regulations of the Movie and Television Review and Classification Board (MTRCB), Optical media Board (OMB), Intellectual Copyrights Law (ICL) as well as other applicable laws.

SECTION 70: PORNOGRAPHIC AND INDECENT SHOWS

It shall be unlawful for any person or agency to engage in shows depicting men and women as sex objects in private or public place or under scandalous circumstances.

SECTION 71: LIVESHOWS

It shall be unlawful to influence or force a woman or girl-child to dance or do naked shows in public or private places for commercial or entertainment purposes.

Violation of this Section shall be penalized by a fine of P5,000.00 or one (1) year imprisonment, or both in the discretion of the court.

SECTION 72: SELLING, RENTING/LENDING PORNOGRAPHIC MATERIALS

It shall be unlawful to sell or lend pornographic materials. Violation of this section shall be penalized by a fine of P3, 000.00 or an imprisonment of six (6) months, or both in the discretion of the court.

SECTION 73: SEXUAL HARASSMENT

Sexual harassmtent shall be unlawful in the employment, education or training environment.

SECTION 74: OTHER FORMS OF SEXUAL HARASSMENT

Other than the definition provided by Republic Act 7877 otherwise known as the Anti-Sexual Harassment Act of 1995, the following constitute sexual harassment:

1. Persistent telling of offensive jokes such as green jokes or other analogous statements to someone.
2. Taunting a person with constant talk about sex and sexual innuendoes.
3. Displaying offensive or lewd pictures and publications in the workplace.
4. Interrogating someone about his/her sexual activities or private life, except on medical or physical examination purposes.
5. Making offensive hand or body gestures at someone.
6. Repeatedly demanding for dates despite verbal rejection.
7. Staring or leering maliciously.
8. Touching, pinching 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, in obtaining a good job and/or promotion.
11. Cursing, whistling, or calling a woman or minor in public with words having dirty connotations or implications which ridicule, humiliate or embarrass the woman/minor.
12. Any other unnecessary acts during physical examinations.
13. Requiring a woman to wear suggestive or provocative attire during interviews such as on job hiring and/or promotion.

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Violation of one of these acts shall be penalized with an imprisonment of one (1) week to six (6) months or a fine of P1, 000.00 to P3, 000.00, or both at the discretion of the Court.

SECTION 75: FUND RAISING INITIATIVES

It shall be unlawful to conduct Fund Raising Initiatives.

Violation of this provision shall be penalized by a fine of P5, 000.00 or imprisonment of six (6) months, or both at the discretion of the Court.

SECTION 76: HUSBAND AND WIFE BATTERING

Husband and wife battering shall be punishable from one (1) month to one (1) year imprisonment, or a fine of P1, 000.00 to P5, 000.00, or both at the discretion of the Court. Other forms of battering as defined in this Code shall be covered by the same penalty.

SECTION 77: PERSONS IN ARMED CONFLICT SITUATION

- a. No person shall be deprived of basic social services in armed conflict areas.
- b. No woman shall be kept by any peace and order personnel in military detachment/police checkpoint or any analogous quarter for purposes of comfort.

SECTION 78: FORCED MARRIAGE

No woman shall be forced to marry when she is not ready to assume responsibilities borne out of such marriage. Violation of this provision shall be penalized by a fine of P5, 000.00, or an imprisonment of one (1) year, or both at the discretion of the Court. However, the customs and traditions of the indigenous peoples shall be taken into consideration and duly respected.

SECTION 79: CONSCIOUS SURVEILLANCE OF ENTERTAINMENT ESTABLISHMENTS

The Integrated Population, Gender and Development Office or Task Force is hereby created under this Code and in coordination with the police authorities, shall conduct conscious surveillance of entertainment establishments, massage parlors and sauna baths existing in the province that may be exploiting young men and women.

SECTION 80: PEDOPHILIA

Pedophilia, as a form of sexual perversion where children are the preferred victims, shall be punishable as follows:

- a. When the offender shall have sexual intercourse with a boy or a girl, he/she shall be prosecuted under Section 103 of this Code.
- b. When the offender shall have anal intercourse with a boy or girl, he/she shall be prosecuted under Section 103 of this Code.
- c. When the offender commits other pedophilic act, he/she shall be prosecuted under Section 103 of this Code.

Pedophilic acts are committed by a pedophile or a person defined by desires and who has a sustained sexual orientation toward children, generally aged 13 or younger.

SECTION 81: COMPLAINTS OF PEDOPHILIA

Complaints involving pedophilia shall be filed by the same persons as enumerated under Section 63, Article 1, Chapter 2 of this Code.

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**ARTICLE III
CULTURAL IDENTITY OF WOMEN**

SECTION 82: INDIGENOUS CULTURAL PRACTICES

Indigenous women shall be allowed to enroll in schools and colleges/universities and enjoy employment opportunities without prejudice to their birth and marriage rituals where no birth and marriage certificates are issued as evidence thereof. Failure to comply with this provision shall be penalized by a fine of P5, 000.00.

**ARTICLE IV
LABOR AND EMPLOYMENT**

SECTION 83: REPRODUCTIVE HEALTH SERVICES

Establishments in the province shall provide access to reproductive health services to workers regardless of sex and civil status as a manifestation of concern for women's role in social production.

Violation of this provision shall be penalized by a fine of P5, 000.00.

SECTION 84: ORIENTATION ON SEXUAL HARASSMENT

All local offices, agencies and establishments or companies, government and private, in the Province, shall conduct orientation on sexual harassment. Failure to comply with this provision shall be penalized by a fine of P5, 000.00.

SECTION 85: GENDER-SENSITIVE PHYSICAL PLAN

A physical plan appropriate for a gender-sensitive 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. Failure to comply with this provision shall be penalized as follows:

- a. 1st offense – fine of P3,000.00
- b. 2nd offense – fine of P4,000.00
- c. 3rd and succeeding offenses – fine of P5, 000.00

**ARTICLE V
WOMEN IN THE ENTERTAINMENT INDUSTRY**

SECTION 86: WORKERS IN THE ENTERTAINMENT INDUSTRY

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. Violation of this provision shall be penalized by a fine of P5, 000.00.

SECTION 87: SUPPORT SERVICES FOR WOMEN IN THE ENTERTAINMENT INDUSTRY

The PGLU shall provide socio-economic support services for women in the entertainment industry in its desire to concretely respond to their practical needs.

SECTION 88: MEDICAL ROUTINE CHECK-UP

Women in the entertainment industry shall be afforded by their respective employers with medical routine check-up and medicines, if needed.

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SECTION 89: RAIDS

Police brutality shall not be allowed during conduct of raids in the entertainment establishments.

**ARTICLE VI
HEALTH RIGHTS**

SECTION 90: REPRODUCTIVE HEALTH SERVICES FOR ALL

All hospitals in the Province shall offer equitable and affordable reproductive health services for all regardless of sex and social status. Non-compliance of this provision, the hospital operator, President or the Chief of the hospital concerned shall be penalized by a fine of P3, 000.00.

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

SECTION 91: BANKS, FINANCIAL INSTITUTIONS AND COOPERATIVES SUPPORT SYSTEM

All banks, financial institutions and cooperatives shall open special window for lending to women including young women who lack access to traditional sources of collateral, subject to its policies, rules and regulations. This process ensures and protects the economic rights of women.

**ARTICLE VIII
WOMEN AND CHILDREN**

SECTION 92: SUPPORT TO WOMEN AND CHILDREN

All agreements or settlements arrived at the barangay-level relative to the support of the children shall be final and executory. Violation of such agreements or settlements shall be subjected to a fine of P1,000.00.

SECTION 93: PROMOTION OF ENVIRONMENT-FRIENDLY TECHNOLOGIES FOR WOMEN

In order to protect women in agriculture or farming, no government official or employee shall act as agent of chemicals not allowed to be used by the Herbicide and Pesticide Authority.

Farming through the use of organic fertilizers and pesticides is strongly encouraged in the Province of La Union.

Violation of this provision shall be penalized by a fine of P5,000.00.

**CHAPTER 3
PROVISIONS OF IMPLEMENTATION**

**ARTICLE I
THE GENDER AND DEVELOPMENT OFFICE**

SECTION 94: CREATION OF THE GENDER AND DEVELOPMENT OFFICE

The Gender and Development Office of the Province is hereby created specifically to realize the provisions of this Ordinance. It shall be the coordinating, regulatory and monitoring office of the PGLU which shall focus on gender sensitive projects and activities in relation to Section 95.

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SECTION 95: FUNCTIONS OF THE GENDER AND DEVELOPMENT OFFICE

This GAD office shall have the following functions to ensure consistency in the implementation of the provisions of this Code:

- a. **Convenes Meetings.** Convenes the Multi-Sectoral Gender Development Council quarterly for planning, assessment and evaluation of projects and activities.
- b. **Monitoring and Coordinative Functions.** These functions shall assure the realistic, measurable and tangible results in the implementation of this Code. These include, but not limited to:
 1. **GENDER-SENSITIVE WATCH.** A system of services and facilities in order to monitor status of men, children and women in the Province wherein all departments and agencies therein shall develop practical methodologies for incorporating gender perspectives into all aspects of economy and policy-making. It shall collect gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative statistical indicators to facilitate the assessment of economic performance from a gender fair perspective. It shall also serve as the data bank of the Provincial Government on gender and development.
 2. **LEGAL AID SERVICES CHECK.** A coordinated services for any legal actions needed in protecting men, women, children and special group of persons rights shall be installed.
 3. **ADVOCACY AND CAMPAIGN MANAGEMENT.** A coordinated advocacy and campaign on all forms of discrimination and violence against any person shall be programmed.
 4. **SUSTAINABLE AND GENDER SENSITIVE PROJECT DEVELOPMENT.** A system of appraisal of projects to determine sustainable impact on women and men, local economy, politics, culture and ecosystem.
 5. **VIOLENCE IN MEDIA CHECK.** An active dialogue with tri-media representative shall be undertaken by the Office in coordination with the Sangguniang Panlalawigan Committee on Social Services, Women and Family Welfare & Development and Responsible Parenthood and Poverty Alleviation (Gender Equality, Family Affairs and Social Welfare) and women GO's and NGO's on incidence of all forms of violence in media.
- c. **Regular Function.** This function shall include establishing protocols and standards relevant to the following concerns:
 1. **EDUCATION AND TRAINING BENCHMARK.** Gender-sensitivity education and trainings for all departments and agencies of the Provincial Government and at the municipal/barangay level shall be designed. Standards for contents of the courses shall be established by the Office. The GAD Office shall ensure that all employees and officials of the PGLU as well as its component LGUs shall undergo gender sensitivity trainings and seminars.
 2. **PSYCHOLOGICAL SUPPORT PROGRAM.** A holistic and indigenous approach to men and women with social dysfunctions which include attendance to their physical/biological, emotional, psychological and social needs shall be set up. Indicators of program success shall be established by the Office.
 3. **EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM AND SERVICES.** Appropriate support services for children shall include nursery and/or day care services for infants and toddlers as prescribed in Republic Act 6972. Indicators of quality of services shall be established by the Office.

4. PREPARE SHORT/LONG TERM GAD PLANS. It shall be involved in all the processes related to the conceptualization, development, assessment and evaluation of population and gender development and advocacy programs of the PGLU.

SECTION 96: ORGANIZATION

The Provincial Gender and Development Office shall be headed by a Provincial Government Department Head who shall be assisted by three Division Chiefs, one for the Administrative Division, one for the Gender and Development Monitoring and Coordinating Division and one for Training and Special Services Development Program Division. The Provincial Governor shall recommend to this Body the appropriate nomenclature or position title of the herein Provincial Government Department Head based on the existing guidelines prescribed by the Department of Budget and Management.

At the Division Level, the following sections are hereby established:

- I. ADMINISTRATIVE DIVISION
 - a. Clerical and Janitorial Services Section
 - b. Records Section
 - c. Property and Supply Section
- II. GAD MONITORING AND COORDINATING DIVISION
 - a. Gender Sensitive Watch Section
 - b. Legal Aid Services Check Section
 - c. Advocacy and Campaign Management Section
 - d. Gender-Sensitive Project Development Section
 - e. Tri-Media Check Section
- III. TRAINING AND SPECIAL SERVICES DIVISION
 - a. Education and Training Section
 - b. Psychological Support Services Section
 - c. Early Childhood Care and Development Section
 - d. Assessment and Evaluation Section

SECTION 97: APPOINTMENT AND QUALIFICATION

The Provincial Government Department Head shall be appointed by the Provincial Governor with the concurrence of the Sangguniang Panlalawigan, provided that he/she meets the following qualifications:

- a. Must be a holder of any relevant college degree;
- b. Must be a bona-fide resident of the Province;
- c. Must have appropriate Civil Service Eligibility; and
- d. Other qualifications relevant and necessary therefore.

Duties and responsibilities

The Provincial Government Department Head of the Gender and Development Office shall provide executive direction in the implementation of the provision of the gender and Development Code. Specifically, he/she shall:

1. Spearhead the identification of strategies, activities and projects to best address gender issues, allowing integration of gender fairness, equality and sensitivity to all sectors in the province;
2. Convene/preside the quarterly Multi-Sectoral Gender Development Council for the purpose of planning, assessment and evaluation of projects and activities;
3. Ensure the effective and efficient implementation of GAD programs, activities and projects and the judicious utilization of the GAD budget;

4. Direct the development and necessary updating of gender-sensitivity courses and trainings to raise support and awareness of PGLU personnel and agencies in Gender and Development;
5. Establish a system of coordination with concerned agencies to ensure the timely collection of data and provision of appropriate intervention on situations where gender is a concern;
6. Direct the monitoring of programs based on set standards and indicators for program success;
7. Ensure the timely submission of GAD Work and Financial Plan, Accomplishment Report, Monitoring Report and other GAD-related reports to the Civil Service Commission and other officer concerned, copy furnished the Sangguniang Panlalawigan;
8. Perform other functions, duties and responsibilities which may be assigned by the Office of the Governor and/or higher authorities from time to time.

SECTION 98: PERSONNEL

Upon recommendation of the Provincial Governor, the Sangguniang Panlalawigan shall create positions that will assist in the implementation of this Code and administer the operation of the Provincial Gender and Development Office taking into consideration the service requirement and financial capability of the Provincial Government, subject to the minimum standard prescribed by the Civil Service Commission as well as the appropriate position titles and salary grades prescribed by the Department of Budget and Management.

SECTION 99: COMPLIANCE REPORT

Within six months from the effectivity of this Code and every six months thereafter, the Gender and Development Office shall submit a report to all offices concerned, copy furnished the SANGGUNIANG PANLALAWIGAN, on their compliance with this Code.

**ARTICLE II
TRANSITORY PROVISIONS**

SECTION 100: THE PROVINCIAL POPULATION DIVISION

The Provincial Social Welfare and Development Office with the Sangguniang Panlalawigan Gender Committee, the Sangguniang Panlalawigan Office, the Provincial Population Office, the Provincial Human Resource Management Office, the PNP Women's and Children's desk, the Provincial Planning Development Office and Provincial Government of La Union, shall assume and exercise the functions, powers and duties prescribed in this Code in the interim until such time the Provincial Gender and Development Office is duly constituted. For this purpose, all existing programs and the corresponding appropriation are hereby assumed by the Provincial Social Welfare and Development Office for implementation. Thereafter, this Division automatically becomes an integral part of the organization of the Provincial Gender and Development Office.

SECTION 101: FUNDING

An amount as may be necessary to implement the provisions of this Code is hereby appropriated from any available source in the General Fund of the Province. Thereafter, the PGLU shall set aside an amount as may be necessary to fund the GAD projects and activities in pursuance of this Code, subject to budgeting, accounting and auditing rules and regulations.

SECTION 102: RULES AND REGULATIONS

The Provincial Governor is hereby empowered to create a Committee to formulate and issue the necessary Implementing Rules and Regulations, within a period of sixty (60) days after the publication of this Code, for its effective and efficient implementation of any and all of its provisions.

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SECTION 103: PROVISION ON PENALTY

Violations of the following Sections shall be prosecuted under existing national laws, to wit:
Sections 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 73, 77, 79, 80 and 91.

**ARTICLE III
FINAL PROVISIONS**

SECTION 104: SUPPLEMENTARY CLAUSE

On matters not provided for in this Code, any existing applicable laws and their corresponding implementing rules and regulations, and relevant issuances issued therefore shall apply.

SECTION 105: SEPARABILITY CLAUSE

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

SECTION 106: REPEALING CLAUSE


All ordinances, executive orders, rules and regulations or parts thereof in conflict with or inconsistent with any provisions of this Code are hereby modified or repealed accordingly.

SECTION 107: EFFECTIVITY CLAUSE


This Code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


DONATO A. RIMANDO
Secretary to the Sanggunian

ATTESTED:


AUREO AUGUSTO Q. NISCE
Presiding Officer
Vice-Governor

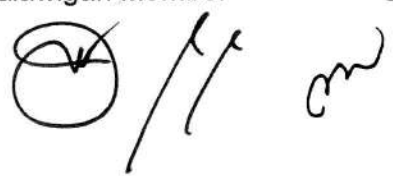

FRANCISCO "KIT" C. ORTEGA, JR.
Sangguniang Panlalawigan Member

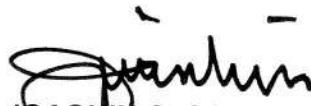

NANCY CORAZON M. BACURNAY
Sangguniang Panlalawigan Member


JONATHAN JUSTO A. ORROS
Sangguniang Panlalawigan Member


ROBERT B. MADARANG, JR.
Sangguniang Panlalawigan Member







JOAQUIN C. OSTREA, JR.
Sangguniang Panlalawigan Member


CHRISTIAN I. RIVERA
Sangguniang Panlalawigan Member


REYNALDO M. MOSUELA
Sangguniang Panlalawigan Member


RUPERTO A. RILLERA, JR.
Sangguniang Panlalawigan Member

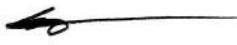

VICTORIA L. ARAGON
Sangguniang Panlalawigan Member


BELLARMIN A. FLORES II
Sangguniang Panlalawigan Member


MANUEL "MANNIX" R. ORTEGA, JR.
Sangguniang Panlalawigan Member



APPROVED:


MANUEL C. ORTEGA
Governor
120424 H 