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Item No.: 08  
Date: JUN 27 2023

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

SANGGUNIANG PANLALAWIGAN  
19 June 2023  
OFF  
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE  
2<sup>nd</sup> INDORSEMENT  
June 14, 2023

Province of Leyte  
Legal Office  
Released: [Signature]  
Time:  
Date: 6-16-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 3 series of 2023 of the Municipality of La Paz, Leyte recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160.

The Provincial Legal Office is of the opinion that the amended ordinance is supported by Section 447 (5) (xiv). Furthermore, the provisions thereof are in line with Section 16 and Section 17 (iv), promoting social and general welfare, particularly women and children. It is likewise within the powers of the local council to repeal/amend its prior acts either expressly or by the passage of an inconsistent resolution (Constantino vs. Desierto, 288 SCRA 6540).

  
**ATTY. JOSE RAYMUND A. ACOL**  
Asst. Provincial Legal Officer



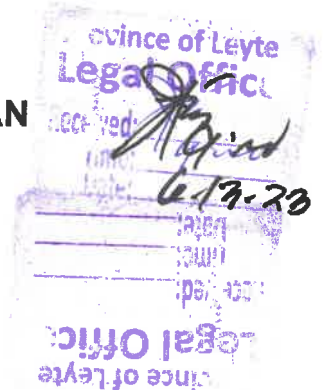
Republic of the Philippines  
**PROVINCE OF LEYTE**  
Tacloban City



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>st</sup> Endorsement**  
07 June 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **MUNICIPAL ORDINANCE NO. 03 Series 2023, of LA PAZ, LEYTE; amending Municipal Ordinance No. 5 series 2011, the Gender and Development Code.**

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

SP RECORDS  
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Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF LA PAZ**  
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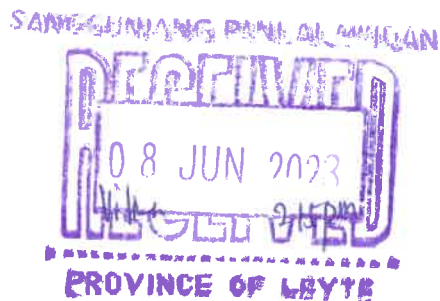
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**OFFICE OF THE SANGGUNIANG BAYAN**

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07 June 2023

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan  
Province of Leyte  
Legislative Bldg., Capitol Complex  
Palo, Leyte



Madam:

Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 03, SERIES OF 2023 – AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 5, SERIES OF 2011 – AN ORDINANCE PROVIDING THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES** for review and perusal of that office.

Please acknowledge receipt hereof and requesting the same be given due course and appropriate action.

Early action hereon will be highly appreciated.

Thank you.

Very truly yours,

**ERWIN M. CERNAL**  
*Secretary of the Sangguniang Bayan*



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF LA PAZ**  
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**OFFICE OF THE SANGGUNIANG BAYAN**

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07 June 2023

**HON. LEONARDO "SANDY" JAVIER, JR.**

Vice Governor and Presiding Officer

The Honorable Members

Sangguniang Panlalawigan

Province of Leyte

Legislative Bldg., Capitol Complex

Palo, Leyte

Dear Honorable Ladies and Gentlemen:


Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 03, SERIES OF 2023 - AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 5, SERIES OF 2011 - AN ORDINANCE PROVIDING THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES** for review and perusal of that office.

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Very truly yours,



**ERWIN M. CERNAL**  
*Secretary of the Sangguniang Bayan*



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of La Paz  
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**OFFICE OF THE SANGGUNIANG BAYAN**

SANGGUNIANG PANGALAYANIGAN  
 RECEIVED  
 08 JUN 2023  
 PROVINCE OF LEYTE

**MUNICIPAL ORDINANCE NO. 03**  
*Series 2023*

*Introduced by: Honorable Relly F. Relano*

**AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 5, SERIES OF 2011 – AN ORDINANCE PROVIDING THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES**

Be it ordained by the Sangguniang Bayan of the Municipality of La Paz, Leyte in session assembled:

**ARTICLE I**

**TITLE, GENERAL PROVISIONS, DECLARATION OF PRINCIPLES AND DEFINITION OF TERMS**

Section 1. – ***Title*** – This ordinance shall be known as the “**GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE.**”

Section 2 – ***General Policy of the Municipality of la Paz*** – It shall be the policy of the Municipality of La Paz, Leyte to uphold the rights of women and men and believe in their worth and dignity as human beings. Women shall be recognized as full and equal partners of men in development and nation building and men shall equally share in all forms of productive and reproductive activities.

The Municipality of La Paz, Leyte shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. It shall endeavor to undertake development efforts that shall enhance women’s full potential, uplift their status and improve the quality of their lives and their families.

Section 3 – ***Declaration of Principles*** – The Municipality of La Paz, Leyte adheres to the democratic principle that women and men are equal as well as to the declaration of the United Nations, to wit;

- a. Women have the right to the prevention of and protection from all forms of violence and coercion against their person, their freedom, their sexuality and their individuality.
- b. Women have the right to freely and fully participate – individually or collectively – the political processes prevalent in their community and nation.
- c. Women have the right to knowledge and education necessary for the full exercise of their productive rights according to their beliefs and preferences.
- d. Women have the right to the means of ensuring their economic welfare and security.
- e. Women have the right to choose their spouses in accordance with their values and preferences maintain equality in marriage, work for its dissolution if need, and obtain adequate support for the caring of their children.
- f. Women have the right to adequate nutrition and proper health care
- g. Women have the right to humane living conditions
- h. Women have the right to nurture and enhance their personhood collectively and individually, to secure an image of themselves as whole and valuable human beings, and to build relationships based on respect, trust and mutuality
- i. Women have the same rights and responsibilities as parents, irrespective of their marital status, in matter relating to their children; in all cases the interests of the children shall be paramount
- j. Women have the same rights to decide freely and responsibility on the number and spacing of their children and have to have access to the information, education and means to enable them to exercise these rights

- k. Women have the same rights and responsibilities with regard to guardianship, warship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interest of the children will be paramount
- l. The personal rights as husband and wife, including the right to choose a family name, a profession and an occupation
- m. Women have the same right for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration
- n. Women have the right to equality before the law in principle and in practice.

Section 4 – **Definition of Terms** – Whenever used in this ordinance, the following terms and phrases shall mean:

**Accredited Women’s Organizations** – include those, but not limited to, groups of women organized either formally, informally or voluntarily, and given certificate of recognition by the Municipal Network of Women organizations and Gender and Development non-government organizations after undergoing gender sensitivity, concretization, leadership and other capability building processes.

**Batter** – refers to an act inflicting physical harm upon the woman on her child resulting to the physical and psychological or emotional distress.

**Battered Women Syndrome** – refers to the scientifically defined of psychological and behavioral symptoms found in women living in battering relationships as a result of cumulative abuse.

**Differently-Abled Women** – are women of physical impairment and have differentiated needs and potentials

**Discrimination Against Women** – is any distinction, exclusion or restriction, made on the basis of basis of sex which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of the rights irrespective of their marital status.

**Domestic Violence** – is any form of abuse or battering which a person inflicts upon a member of his/her immediate family or his/her relatives. Violence against women shall include but not limited to physical, sexual and psychological violence occurring in the family and other relationships, including battering, sexual abuse of wife and female children in the household dowry-women, non-espousal violence and violence related to exploitation.

**Gender** – is the set of characteristics, roles and expectations attributed particularly to women and men of society

**Gender and Development or GAD** – is an approach to or a paradigm of development that focuses on how social, economic, political and cultural forces determine hoe differently women and men participating in, benefit from, and control resources and activities for development. It is a framework of analysis that seeks to understand the role of gender in the attainment of development goals.

**Gender Mainstreaming** – is a strategy of integrating including and addressing gender and development concerns and issues at all levels of governance.

**Gender-sensitive** - is understanding the marginalized position of women vis-a vis men.

**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.

**Mail Order Bride** – is a practice where a woman establishes personal relations with a male-foreign national via mail, cyberspace or similar means, upon recruitment by an individual or agency for the purpose of exploiting women in the guise of marriage.

**Pedophilia**- is a form of sexual perversion where children are the preferred victim and is committed under the following circumstances:

1. When the offender shall have sexual intercourse with a girl;
2. When the offender shall have anal intercourse with a boy or girl; and
3. Other pedophilic acts other than sexual or anal intercourse which will include custodial abuse.

**Pornography** – is a written, graphic or other form of communication intended to execute lascivious feelings. (The Grolier International Dictionary, Volume 2).

**Provincial Gender and Development Council** – is the highest policy making and determining body on matters of gender issues and concerns, which shall focus on gender-related projects and activities.

**Prostitution** – is the sale, purchase and exchange of men, women and minors for sexual exploitation, cash, profit or other economic considerations by an individual, including but not limited to pimps, procurers of the service, parents, owners of establishments, such as disco houses, bars, sauna baths, massage clinics, hotels and restaurants and any other person who uses various schemes to prostitute men, women and children.

**Psycho Social Program** - is an intervention using a system approach to condition of women as it views women's differentiated needs in a social context.

**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 reproductive system and to its functions and process.

**Sexuality** – is one's expression of personhood on the basis of administration and self-appreciation and satisfaction of needs.

**Sexual Harassment** – is an act, or a series of acts, involving any unwelcome sexual advances, requests or demands for sexual favors, or other verbal or physical behavior of a sexual nature, made impliedly, directly or indirectly, as defined and penalized under RA 7877, otherwise known as the “Anti-Sexual Harassment Act of 1995.”

**Sex Trafficking** – is the covert or overt recruitment of men, women and children into the sex industry. It includes new forms of sexual exploitation such as sex tourism, the recruitment of laborers for sexual purposes in guise of hiring them as domestics in developed countries, and organized marriages between women from Third world Countries and foreign male nationals. It is a system in which men and women and children become movable properties and objects of exchange.

**Survivor's Support Group** – is an organized group of women and men to whom a survivor of violence voluntarily agrees to establish a professional helping/rehabilitation process.

**Assigned Sex** – refers to the sex one is given at birth, which usually corresponds to the gender identity one is raised as and/or assumed to have in childhood.

**Children** – refer to those below eighteen (18) years of age or older but are incapable to taking care of them as defined under Republic Act No. 7610 (“Special Protection of Children against Child Abuse, Exploitation, and Discrimination”). It includes the biological children of the victim and other children under her care.

**Commodification of Women** – refers to a practice which puts women in subordinate situation which results in the treatment of women as both consumers and objects. As consumers, women are allured to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest usually in exchange of money or goods so that women have no control or power to reject such utilization or manipulation.

**Commercial Sexual Exploitation** – refers to the sexual abuse by the adult and remuneration in cash or kind to person. It also refers to process to which the women/children are treated as sexual objects and as commercial objects and which constitutes a form of coercion and violence against women and children and amounts to force labor and a contemporary form of slavery. The main forms of commercial sexual exploitation are prostitution, sex tourism, pornography, and trafficking for sexual purposes.

**Community-based Program** – refers to the program provided in the community setting, developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his/her family and/or community.

**Crisis Intervention Center**- refers to a substitute home/residential facility for victims of VAWC and others who are in extremely difficult circumstances needing temporary shelter while their eventual return to family is facilitated.

**Dating relationship** – refers to a situation wherein the parties live as husband and wife without the benefit of marriage or are romantically involve over time and on a continuing basis during the course of the relationship. A casual acquaintance of ordinary socialization between two individuals in a business as social context is not a dating relationship.

**Fund Raising Initiatives**- refers to an activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premiere showing of movies, or any similar fund-raising undertakings where women are used for donor prize, substitute for cash prizes won, a companion package for an award prize or recognition, or any manner, activity, come-on display, or exhibit which depicts a woman as central, partial, or special focus in order to raise funds.

**Gender and Development (GAD) Plan and Budget**- a detailed formulation of a program of action that is incorporated in local plans, and guided be desired outcomes and goals embodied in GAD, related laws, policies, term plans, and relevant international commitment.

**Gender Equality**- refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit and results of development, and with the state recognizing that all human beings are free and equal in dignity and rights.

**Gender Equity**- refers to the policies, instruments, programs, services, and actions that address the disadvantage position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating the *de facto* equality between men and women shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. These measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

**Gender Perspective** – refers to the way of viewing issues and problems that take into consideration and different realities of women's and men's lives, and recognizing that there is an unequal relationship between two.

**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.

**Indecent Shows**- are shows, which includes nude or other provocative gestures, which further project and exhibit men, women, especially children as sex objects.

**LGBTQ**- is an initialism that stands for lesbian, gay, bisexual, transgender and queer.

**Migrant Workers**- refers to Filipinos who are to be engaged, are engaged, or have been engaged in a remunerated activity in State of which they are not legal residents, whether documented or undocumented.

**Places of Amusement**- includes theaters, cinemas, concert halls, circuses and other places of amusement where one seeks admission to entertain oneself by seeing or viewing the show or performances.

**Physical Violence**- refers to acts that includes bodily or physical harm.

**Psychological Violence**- refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as, but not limited to, intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and marital infidelity. It includes causing or allowing the victim to witness and physical, sexual or psychological abuse of a member of the family to



which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

**Reproductive Health-** as defined in the international Conference on Population and Development and World Health Organization, and affirmed in the Beijing Conference, 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 functions and process.

**Senior Citizens-** refers to those sixty (60) years of age above. This terms shall be used interchangeably with elderly women, older women, or women senior citizens;

**Sex-** means a state of being male or female; males or females collectively; sexual intercourse.

**Sex Disaggregated Data-** refers to statistical information that differentiates between men and thereby allowing them to make more effective interventions or assistance.

**Sexual Relations-** refers to a single sexual act which may or may not result in the bearing of a common child.

**Sexual Violence-** refers to any sexual act or attempt to obtain a sexual act by violence or coercion, as to traffic a person or acts directed against a person's sexuality, regardless of the relationship to the victim.

**Solo Parents-** as defined under Section 3 of RA 8972 of 2000, it refers to an individual who falls under any of the following categories:

- A woman who gives birth as a result of rape and the other crimes against chastity even without a final conviction of the offender provided that the mother keeps the child;
  - Parents left solo or alone with the responsibility of parenthood due to deaths of spouse;
  - Parents left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
  - Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
  - Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
  - Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children;
  - Parent left solo or alone with the responsibility of parenthood due to abandonment by the spouse for at least one (1) year;
  - Unmarried mother or father who has preferred to keep and rear her/his children instead of having others care for them to give them up to a welfare institution;
  - Any other person who solely provides parental care and support to a child or children; and
- Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parent or solo parent.

**Stalking-** refers to an intentional act committed by a person who, knowingly and without lawful justification, follows the woman or her child or places the woman or her child under surveillance.

**“Temporary Special Measures”** – refers to a variety of legislative, executive, administrative, and regulatory instruments, policies, and practices aimed at accelerating this *de facto* equality of women in specific areas. These measures shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. They shall be discontinued when their objectives have been achieved.

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

**Women in Specially Difficult Circumstances (WEDC)** - refers to victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have functionally incapacitated them.

**Women in the Military, Police and other similar services-** refers to women employed in the military, both in the major and technical services, who are performing combat and/or non-combat functions, providing security to the State, and protecting the people from various forms of threat. It also includes women trainees in all military training institutions. Police and similar services include, among others, the Philippine National Police (PNP), Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), other agencies with law enforcement functions, and private security agencies.

**Work, Education or Training-Related Harassment** – as defined in Republic Act No. 7877, is committed by an employer, employee, manager, supervisor, agent and 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, request or otherwise requires any sexual favor from the other, regardless or whether the demand, request or requirements for submission is accepted by the object of said act.

**Workers in the Entertainment Industry-** refers to commercial sex workers who offers their services in exchange for cash, profit or economic considerations.

## ARTICLE II

### VIOLENCE AGAINST WOMEN

Section 1 – **Domestic Violence** – Domestic violence shall include but not limited to physical, sexual and psychological violence occurring in the family and other relationships, including battering, sexual abuse of wife and children in household, dowry – related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-espousal violence and violence related to exploitation.

Section 2 – **Violence in the Home, Community and Institution** – Domestic violence and other forms of violence (a) occurring within the general community including rape, sexual abuse, sexual harassment, intimidation at work, in educational institutions and elsewhere or (b) physical, sexual and psychological violence perpetrated against women and condoned by the state, wherever and whenever it occurs.

Section 3- **Women Trafficking** – Barangays shall pass local ordinances to curb trafficking and protect victims. The barangays shall coordinate with other agencies to conduct information campaign against trafficking. It shall support community initiatives against trafficking especially in the monitoring and documentation of trafficking case, providing support to trafficking victims and their family and in the arrest and apprehension of perpetrators of trafficking.

Section 4 – **Violence in Armed Conflict** – Human right of women in situations of armed conflict are violated particularly in cases of murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.

The Municipal government shall exhaust all peacekeeping measure (*e. g. dialogue*) see to it that women and children are secured and protected from any foreseeable harm and danger.

Section 5 – **Violence in Reproductive Right** – The local government shall ensure that women reproductive rights are not violated through forced sterilization and forced abortion, coercive, forced use of contraceptive, prenatal sex selection and female infanticide.

Section 6 – **Feminization of Poverty** – It is a condition when gap between the rich and the poor widens and grassroots women bear the brunt as in economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical and strategic interest in women (e.g. women are forced to incur financial obligation to augment insufficient income of the family).

The municipal government should provide women access to economic opportunities and social services to uplift their quality of life.

Section 7 – *Prostitution as a Violation of Men and Women’s Rights* – Prostitution is deemed a violation of human rights and exploitation of women and men who have no real choices for survival.

The local government shall implement measure to prevent prostitution by providing alternative livelihood and psychological services to women and men, victims of prostitution. Persons and establishments in accordance with law.

Section 8 – *Printing, Publication, Display and Distribution of Pornographic materials and Shows*. The printing, publication, display and distributions of pornographic materials and show exhibiting women as sex object and commodities is a violation of women’s rights. As such they are punishable by law.

Section 9 – *Other Forms of Violence Against Women* – (a) Sex trade (b) Sex Tours, Individuals and Establishments that engages in sex trade tours shall be prosecuted in accordance with law.

### ARTICLE III

#### RAPE

##### Section 1 - *When and How Committed*:

1. By a man who shall have carnal knowledge of a woman under any of the followings:
  - a. Through force, threat or intimidation;
  - b. When the offended party is deprived or reason or otherwise unconscious;
  - c. By means of fraudulent machination or grave abuse of authority’
  - 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 pines into other person’s mount or anal orifice, or any instrument or object, into the genital or anal orifice of another person.

Section 2 – *Rape in intimate Relations* – Intimate or marital relations shall not be a legal impediment to any complaint against an act of rape as provided for in Section 14 of this Code. Further, marital relationship shall not serve legal impediment to the prosecution of rape where:

- a. Spouses are legally separate; or
- b. There is a separation in fact of at least six months.

Section 3 – *Support from Law Enforcers* – The law enforcers, preferably of the same sex or his/her authorized alternatives as the offended party, upon receipt of a complaint of rape, shall:

- a. Immediately conduct investigation within 24 hours
- b. Arrange for counseling of the offended party;
- c. Gather evidence for the arrest and prosecution of suspects; 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 filing, regardless of his/her evaluation of the cases.

Section 4 – *Investigate and Examination of Rape Survivor* – It shall be the duty of the investigating officer or the examining physician to ensure that only persons expressly authorized by the examining physician and/or the rape survivor are allowed inside the rooms where the investigation or medical or physical examination is being conducted. The local government and the Philippine National Police must provide room for the investigation such cases.

Section 5 – *Suspension of government Officials or Employees* – The following steps shall be undertaken against a government official or employee charged with rape:

- a. The immediate preventive suspension for a period of 60 days must be imposed upon any government official or employee charge with rape, provided that a verified complaint has been filed therefore; and

- b. It is the duty of the superior officer if respondent public official or employee to facilitate the free, speedy and objective investigation of the compliant and to ensure the protection of the compliant.

The official having authority, influence or moral ascendancy over another person charged with rape shall be observed.

Section 6 – ***Protective Measures*** – At any state of the preliminary examination or investigation, prosecution and trial of a compliant for rape, the following measures shall be observed.

- a. The right to a closed-door hearing unless expressly waived by the offended party.
- 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; and
- d. Any other analogous measures that will ensure the protection of the identity of the offended party and his or her family from undue sensationalized publicity.

## ARTICLE IV

### HEALTH RIGHTS

Section 1 – ***Budget for Women’s Men’s Health*** – A reasonable portion of the health-related budget of the Municipal government shall be allocated and appropriated for women’s and men’s health services.

Section 2 - ***Upgrading of Health Care Delivery System*** – Quality health care and services that are not discriminatory on account of gender, age, creed and religion shall be implemented in the municipal of La Paz.

The municipal government of La Paz shall encourage the use of preventive and alternative approaches to health care and it shall continuously address the leading causes of death among women of productive age (*e.g. heart diseases, tuberculosis, breast cancer, pregnancy-related deaths, cervical cancer and other diseases*).

Section 3 – ***Nutritional Support and Education for Pregnant and Lactating Women*** – The municipal government of La Paz through the Municipal Health Office, shall promote and uphold nutritional support and education for pregnant and lactating women. Men shall be included in the nutritional literacy campaign.

Section 4 – ***Protection for Women and Men against Hazard and Risks*** – Women and Men should be protected against all kinds of environment, occupational and health hazard and risks.

Section 5 - ***Reproductive Health Care Delivery*** – The Municipal Government of La Paz shall adopt the reproductive health care approach at all levels of health care delivery. Such approach integrates 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.

Family planning responsibilities and concerns shall be borne by both the wife and the husband.

Section 6 – ***Women’s Control Over their Bodies*** – Women’s decision to prevent and control pregnancy, excepting abortion, shall be given appropriate support and guidance by health professionals, private and public, at a very minimal cost.

Section 7 – ***Gender-Sensitive Crisis Intervention Unit*** – The Municipal Government of La Paz shall cause the establishment of Gender-Sensitive Crisis Intervention Units at all levels of health care, and shall provide service training to all health and other allied personnel who shall be assigned to this unit.

Section 8 – ***Gender-Fair Approach to Pre-Marital Counseling Program*** – The municipal government of La Paz shall review and redesign a Pre-Marital Counseling Program. It shall be jointly

undertaken by the Municipal Health Gender and Development Office and other concerned agencies. Agencies involved shall adhere to the principle of gender-fair pre-marital counseling service.

Section 9– *Gender-Fair Approach to Pre-Natal Check0up and Marital Care Service* – Health provision in this municipality should be gender sensitive and should give due courtesy and respect to pregnant women seeking pre-natal check and other maternal care services.

Section 10 – *Primary Health Care Service* – The municipal government of La Paz shall strengthen the delivery of primary health care service in the context of reproductive health, which shall primary be undertaken by the Municipal Health Office. For this purpose, it shall assign personnel one day every month to address women’s health problems.

Section 11 – *Separate and Clean Comport Rooms for Men and Women in all Establishments, Workplaces and Public Places* – All government and private establishment shall have separate and clean comport rooms for men and women. Women should be provided with more comport rooms.

Section 12 - *Mental Health* – The Municipal Government shall provide programs for the prevention, management, treatment and intervention of mental health problems.

Section 13 - *Adolescent and Youth Health Development* – The family and the municipality shall collaborate in youth sexuality education and health services without prejudice to the primary right and duty of parents to educate their children.

The LGU in partnership with the Department of Education ( DepEd) and provide schools, together with other concerned agencies and NGO’s, shall conduct massive information campaign to avoid early pregnancy

Section 14 - *Access to safe water*- All barangays shall be provided easy access to safe drinking water.

Section 15 - *Undertake Gender Sensitive Initiatives that Address Sexually Transmitted Diseases, HIV-AIDS, Sexual and Reproductive Health Issues* – The municipal government shall promote public awareness and prevention of HIV-AIDS and management of STD/RTIs.

## ARTICLE V

### EDUCATION RIGHTS

Section 1- *Alternative Learning System for Men and Women* – The municipal government should adopt and implement an alternative learning system to provide women and men to basic education. This could be done in the form of a home study program and other non-formal education.

Section 2 – *Promotion of Gender Sensitive Curricula* – The schools of the municipality shall promote gender sensitive counseling and career education programs to encourage women to pursue academic and technical courses in order to widen their future career opportunities.

Section 3 – *Non-Traditional Courses for Women* – The municipal government of La Paz, shall make accessible men dominated non-traditional courses such as welding, carpentry and plumbing to all women desiring to engage in men – dominated functional and practical education in all barangays in the locality.

Section 4 – *Literacy Program for Women in Rural Areas* – The municipal government of La Paz through the Municipal Gender and Development Council, shall device and conduct literacy programs for women in rural areas.

Section 5 – *Admission to Formal Education* – Admission to formal and professional courses shall be non-discriminatory on account of gender and civil status.

Section 6 – ***Gender – Friendly Schools Facilities and Amenities*** – School administrator in La Paz shall ensure the provision of gender-friendly school facilities and amenities.

Section 7 – ***Sex Education*** – Sex Education shall be integrated in the curricular offerings of all schools in the Municipality of La Paz.

Section 8 – ***Monitoring and Reporting of Stereotyped Portrayal of Roles and Women and Men in Education Materials*** – The Municipal Gender and Development Council shall coordinate closely with the Department of Education (**DepEd**), La Paz District, in monitoring and reporting of stereotyped portrayal of role of women and men as projected in education materials.

Section 9 – ***Non-discrimination of Unmarried Pregnant Girls and Women*** – Girls and Women who become pregnant while in school without the benefit of marriage should be allowed to continue their education. No school may require or compel these girls and women to get married for school admission or graduation purposes.

## ARTICLE VI

### CULTURAL AND RELIGIOUS RIGHT

Section 1 – ***Policy on Cultural Religious Rights*** – The gender and development paradigm in the municipality of La Paz shall encourage, promote and enhance a mutual, harmonious and complimentary male-female relationship and shall be contextualized within the Filipino culture, and the same shall not hamper the development of each.

To ensure the development of a gender-fair, gender-sensitive and critical mass of La Paznon's, consciousness-raising, cognitive and effective capability building and educational activities shall be given priority in gender-based project/development, supplemented with information, education and communication and advocacy campaigns.

Section 2 – ***Cultural Heritage*** – La Paznon's cultural heritage (*dances, songs, literature, visual arts and historical landmarks*) shall be preserved. They must not be overly exploited and commercialized to lose their creativity, integrity and historical value. La Paz shall pursue its research for indigenous cultural identity through research and shall be popularized through multi-media communication.

Section 3 – ***Degrading Exhibitions*** – Shows, contest and performances degrading and commodifying women and men shall be banned. Likewise, advertisements presented in multi-media forms depicting the same shall be prohibited.

Section 4 – ***Schools Curricula on Gender Concerns*** – To correct stereotyping of gender in school s curricula, the municipal government shall impress upon the District Supervisor and all school administrator the need, even the urgency, of instituting integrating and promoting gender sensitivity and equality into their curriculum.

Section 5 – ***Religious Affiliation*** – Each spouse shall have the right to choose his/her religious affiliation and abide by its moral teaching, and shall have the right to freely exercise its rights, practices and beliefs, as long as the same is not contrary to law, morals, good customs, good order and public policy. Children, when they reach the age of majority, shall enjoy the same right.

Section 6 – ***Recreational Infrastructure Facilities*** – the municipal government of La Paz shall provide recreational infrastructure facilities for both women and men.

## ARTICLE VII

### POLITICAL AND PUBLIC SPHERE OF WOMEN

Section 1 – ***Observance of Women's Month in March*** – In accordance with the National Celebration of Women's month of March, the municipality shall implement activities highlighting the contribution of women in nation building.

Section 2 – ***La Paznon's Women Assembly*** – The Women's Assembly shall be held during the Municipal Day of Action for Women.

Section 3 – ***Self-Organization of Women*** – Self-organization of women shall be encouraged and recognized in the municipality and barangays. The municipal government shall support the formation of organizations, groups, associations and chapters in all levels, including formation of coalition, federations, alliances, or aggrupation in the municipal and barangay levels.

Section 4 – ***Representation in Local Special Bodies*** – The municipal government shall ensure representation of women in all local special bodies in the municipal and barangay levels, in accordance with the pertinent provisions of the Local Government Code 1991 and its implementing rules and regulations.

Section 5 – ***Elective and Appointive Local Government Officials*** – Local Government officials shall be gender sensitive to effect gender sensitive legislations, policies and programs.

Section 6 – ***Gender Mainstreaming*** – Barangay shall mainstream gender concerns in local government program and project planning implementation and management.

Section 7 – ***Role of Women in Peace and Justice Issues and Processes*** – The network of women organization and non-government organization shall be formally consulted on peace and development issues and processes on the basis of social equity and justice. Women shall likewise be represented in peace negotiations and processes.

Section 8 – ***Women in Law Enforcement Positions*** – All qualified women shall be accorded the opportunity to assume at least 20% of law enforcement positions in the municipality.

## ARTICLE VIII

### LABOR AND EMPLOYMENT

Section 1 – ***Anti-Sexual Harassment*** – All local offices agencies and establishment or companies in La Paz, Leyte, both government and private, shall conduct seminars/orientation (CODI) shall be created in the municipal government in accordance with Civil Service Rules.

Section 2 – ***Equal Opportunity for Women Workers*** – Women workers shall be afforded equal opportunities in employment in the implementation of government and private projects.

Section 3 – ***Creation and Promotion of Employment and Entrepreneurial Opportunities for Women*** – To prevent out-migration of workers, especially women, the Municipal Government of La Paz shall develop programs and projects that will promote employment opportunities for women. It shall ensure the implementation by all establishments of the provisions on minimum wage law, fringe benefits and other incentives provided for employees and workers.

Section 4 – ***Non-discrimination in Hiring and Employment*** – Physical attributes, religion, civil status, creed, ethnicity, among others, shall not be reasons for disqualifications or non-disqualifications in the hiring and employment both by the government and private institutions, agencies and establishments.

Section 5 – ***Support Services for displaced and/or Returning Overseas Filipino Workers*** – The municipal government, through the Municipal Gender and Development Council and with the assistance of the Department of Labor and Employment (DOLE) and other national agencies, shall set up support services programs for displaced and/or returning overseas workers.

Section 6 – ***Labor Unions in Public and Private Employment*** – The Municipal Government of La Paz recognizes the right to self-organization and determination of employees especially women workers. It shall, with the assistance of the Civil Service commission and the Department of Labor and Employment, advocate and encourage the formation and organization of employees or workers' union in public offices, departments and agencies and in private establishments and companies.

Section 7 – ***Benefits of Domestic Helpers*** – Labor Law Education for employees – The Municipal government of La Paz with the assistance of the Department of Labor, shall spearhead the continuing education for private employers and their employees on labor laws and standards.

Section 8 – ***Grievance Machinery*** – It shall be mandatory for all government and private offices, agencies and establishments or companies to set up Grievances Committee which shall act on complaints and violations of the provisions of the Code.

Section 9 – ***Facilities and Support System for Women*** – The Municipal Government of La Paz shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:

- a. Provide seats proper for women and permit them to use such seats when they are free from work during working hours, provided they can perform their duties in this position without detriment to efficiency;
- b. Establishment separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing room for women before business permit is issued;
- c. Establishment a creche in a workplace for the benefit of the women employee therein; and
- d. Provide breastfeeding center for women in the workplace.

Section 10 – ***Reproductive Health Services*** – Companies as well as labor Intensive establishment shall provide reproductive health services to working women and men, regardless of civil status.

Section 11– ***Monitoring System for Labor Standards*** – A mechanism shall be installed by the Municipal Gender Development Council to monitor all offices, agencies and establishment or companies violating Labor Code provisions and the provisions of this Code.

## ARTICLE IX

### SOCIO-ECONOMIC BENEFITS FOR WOMEN

Section 1 – ***Capital Assistance for Women*** – It shall be the policy of all local government units and agencies engaged in socio-economic programs and activities to provide assistance and/or subsidy to women, especially on land-based projects encouraging community bank approach.

Section 2 – ***Availment of Capability Building Assistance*** – Prior to extension and availment of financial assistance, women groups shall have attended consciousness raising activities, gender and development (GAD) orientations and sensitivity training, community organizing and other capability building and project-related trainings and/or educational activities conducted by competent training organizations upon presentation of certificates of completion as evidence.

Section 3 – ***Preference to Land Distribution*** – Qualified women-headed households and families shall be given preference to equitable distribution of alienable and disposable idle public lands.

Section 4 – ***Promotion of Land-Based Distribution*** – Women shall have full access and control over the maximum utilization of land and other indigenous resources. The Municipal Government of La Paz shall promote and support land-based projects ensuring food security for rural women utilization science and women friendly appropriate technology instilling collectivism.

## ARTICLE X

### SPECIAL SECTORAL CONCERNS

Section 1– ***Special Education for the Elderly and Differently – Abled Women*** – There shall be a special education program for the Elderly and differently – abled women in La Paz as provided for in Republic Act 7277, otherwise known as “**The Magna Carta for Disabled Persons.**”

Section 2 – ***Creative Employment Opportunities for Differently – Abled Women*** - The Municipal Government of Leyte shall develop creative employment opportunities for differently- abled women, recognizing their differentiated conditions and full potentials as human beings.



Section 3 – ***Support Services for the Elderly Women*** – The Municipal Government of La Paz, through the Municipal Social Welfare and Development Office and other national offices, shall provide support services and alternative sources of income for elderly women

Section 4 – ***Reporting of Cases of Harassment Committed Against Elderly and Differently – Abled Women*** - The Municipal Government of La Paz, through its Municipal Gender and Development Council, shall require all barangays to monitor and report cases of harassment committed against elderly and differently-abled women.

Section 5 – ***Organization of Elderly and Differently- Abled Women*** – Each municipal shall create a committee for the elderly and differently- abled women within the municipal development council in order to advance the interests of this special group of women.

Section 6 – ***Support Funds for the Elderly Persons*** – Funds shall be allocated and appropriate to support elderly persons for emergency assistance, routine physical check-up, social group program and relevant socio-economic activities.

Section 7– ***Day Center for Senior Citizens*** – There shall be a center for the elderly in the municipality to render comprehensive support services. All barangays are likewise encouraged to establish day centers for the elderly if their resources warrant.

Section 8 – ***Program for Women in Detention*** – The rights of all women and detainees shall at all times be protected, and the speedy trial and early dispositions of their cases shall be ensured by all concerned. An appropriate program shall be designed to respond to the specific needs and problems of women and for their immediate and full rehabilitation.

The Municipal Government of La Paz shall that there shall be separate detention cells for male and female.

Section 9 – ***Solo Parents*** – Solo parents who seek counseling and other services shall be given the response appropriate to their needs. They shall have equal access to support services and be assured non-discriminatory treatment from both public and/or private institutions.

Section 10 – ***LGBTQ*** a.) Respects for the rights of LGBTQ persons: Rights of all LGBTQ persons shall be respected. b.) Employment opportunities for LGBTQ person: The Municipal Government shall provide equal opportunities for LGBTQ persons, recognizing their full potentials as human beings.

Section 11 – ***Special Facilities***- All establishments whether private or government shall observe the Accessibility Law.

## ARTICLE XI

### SUPPORT SERVICES

Section 1 – ***Comprehensive Support for Survivors of Violence*** – The Municipal Government of La Paz shall provide an immediate comprehensive support to survivors of violence which consists of but not limited to the following: legal, medical, psychological, shelter and other forms of support services. They shall be provided by the Municipal Gender and Development Council with the Municipal Social and Development and other involved agencies.

Section 2 – ***Survivors Support Group*** – There shall be an organized group to whom a survivor of violence voluntarily agrees to establish a professional helping process. All investigations and hearing involving rape cases and other forms of violence against women and children conducted in the Police Stations, prosecutor’s office and trial courts shall recognize and the survivor’s support group to be present in the courtroom as observers and to provide moral support to the survivor’s subject of litigation as expressly allowed or requested by the offended party.

Section 3 – ***Role of Female Police Officials*** - Complaints filed by women on battering and other forms of abuse against them shall be handled by available female police officers in the local police force who shall undergo special courses on handling cases affecting abused women.

Section 4 – ***Representation of Women in the Lupong Tagapamayapa*** – Women organizations shall be represented in the Lupong Tagapamayapa in accordance with pertinent provisions of law, rules and regulations.

Section 5 – ***Creation of Crisis Prevention Units*** – There shall be a Crisis Intervention Unit for women in each local Social Welfare and Development Office to cater to women in crisis.

Section 6 – ***Inter- Agency Council Against Trafficking and Violence Against Women and Children*** – An Inter- Agency Council Against Trafficking and Violence Against Women and Children shall be established in La Paz and members thereof shall be appointed by the Municipal Government with the following powers and functions:

- a. Formulate a comprehensive program to suppress the trafficking and violence women and children
- b. Conduct massive information campaigns
- c. Undertake guidance and counseling to women for the inclusion as fiancée of foreign nationals
- d. Make representations with schools and universities for the inclusion of migration and its implications for women in all levels of curricula
- e. Refer victims to appropriate agencies
- f. Formulate a program for returning victims in cooperation with local offices of the Department of Labor and Employment (DOLE), Technical Education and Skills Development Authority (TESDA) and other government agencies involved in training and livelihood development.
- g. Secure assistance from any local government unit, department or bureaus or the national government, and
- h. Exercise all powers and functions necessary to attain its purposes and objectives.

## ARTICLE XII GENDER AND DEVELOPMENT

Section 1 – ***Resource Generation*** – In the implementation of the provisions of this Code and that of Republic Act. No. 7192, the barangays of La Paz shall ensure that five percent (5%) of their annual fund budget shall be allocated and appropriated for gender concerns, as provided for in Rule II, Section 6 (b) (2) of the implementing Rules and Regulations of Republic Act No. 7192, otherwise known as “**Women in Development and National Building Act.**”

Section 2 – ***Gender and Development*** – All schools, officers, establishments or companies, departments and agencies of the local government units shall be provided with gender sensitivity orientations and trainings which shall equip them with theoretical and practical knowledge on gender-related documentation and researchers, which shall form part of La Paznons database program development.

Section 3 – ***Support for Gender Studies*** – A sufficient amount shall be allotted and appropriated to gender-related documentation and researchers, which shall form part of La Paznons database program development.

Sections 4 – ***Institutionalization of Gender- Fair Material*** – There shall be institutionalized promotion and publication of gender-fair material in popular forms in La Paz.

Section 5 – ***Attendance to Public Hearings*** – It shall be mandatory for women’s organization to attend and be presented in public hearings and consultation on matters that may directly or indirectly involve issues and concerns on women’s and youth issues and/ or gender and development.

Section 6 – ***Role in Impact Assessments*** – The Municipality Government of La Paz shall promote and recognize the active role in women in environment and social impact assessments of projects. Instruments for environmental assessment consciously determine sex dis-aggregated data.

Section 7 – ***Promotion of Appropriate Technology*** – The Municipal Mayor of La Paz shall actively promote an alternative technology that is appropriate and safe for women.

Section 8 – **Resource Management** – The Municipal Government of La Paz, through the Municipal Resource Management Committee, shall ensure the promotion and protection of ecological balance and full participation of women in decision-making processes on resource utilization and mobilization. It shall develop gender sensitive natural resource-based management program.

Section 9 – **Budget for Basic Social Services** – A sufficient and reasonable amount for the basic social services for women and children in extremely difficult circumstances shall be allocated and appropriated.

Section 10 – **Investment and Loans** - The Municipal Government of La Paz shall hold consultative assemblies with government and non-government women organizations in establishing contracts for loan and investment on women’s welfare and development in all levels.

Section 11 – **Overseas Worker’s Welfare Wives and Children**- The Municipal Government of La Paz shall conduct at the barangay level survey of overseas contract workers, result of which shall serve as basis for special support of women and children.

The Municipal Government of La Paz shall at the barangay level survey of overseas contract workers, results of which shall as basis for special support of women and children.

Section 12 – **Special Course on Overseas Contract Work** – A special course on oversea contract worker primarily to orient women in the issues and concerns relative to migration shall be systematically introduced and institutionalized specially at the barangay level.

Section 13 – **Domestic Violence** – Any acts of violence against women and children shall be prosecuted and penalized in accordance with provisions of RA 9262, otherwise known as “**Anti Violence Against Women and their Children Act of 2004.**”

Section 14 – **Soliciting Women’s Services** – It is unlawful for a person to solicit a women’s service for sexual purposes as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such an act.

Any violator, shall upon conviction, suffer an imprisonment of not less than three (3) months nor more than six (6) months, and / or fine of **P2,500.00**, upon the discretion of the court.

Section 15 – **Women Trafficking** – Any person or agency, who with the use of force or deceit, lures women to work abroad or in La Paz or cities of the country for a particular job on a promise of high fees, but instead landed on prostitution, domestic helper or other odd jobs, shall be prosecuted and penalized under RA 9208, otherwise known as “**The Anti- Trafficking in Persons Act of 2003.**”

Section 16 – **Sex Trade** - Any agency or persons who shall engage in keeping women for sex for a fee shall suffer the penalty provided for under existing laws.

Section 17 – **Sex Tours** – Hotels, Beach Resorts, sauna baths and related establishments shall not be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of **P2,500.00** and an imprisonment of six (6) months shall constitute the penalty for violation thereof.

Section 18 – **Women in Armed Conflict Situation** – (a) No women shall be deprived of basic social services in areas with armed conflict; (b) No women or girl shall be kept by any Philippine National Police/ Military Personnel in police/ military detachment/ checkpoint or any analogous quarter for purposes of comfort. Violation hereof shall be penalized through the summary dismissal proceedings.

Section 19 – **Forced Marriages** – No person shall be forced to marry another person against his/her will. Any person or any agency representative committing fraudulent or coercive acts to cause and effect a forced marriage shall held liable under this Code by paying a fine of **P2,500.00** or an imprisonment of six (6) months, or both such fine and imprisonment at the discretion of the court.

### Article XIII Agriculture, Environmental Protection and Conservation

**SECTION 1. *Promotion of agriculture/Land-Based Projects.*** The Municipal Government and other partner agencies and institutions shall support and engage in promoting land-based projects to ensure food security for rural women/men utilizing science, women/men-friendly, accessible and appropriate technology.

**SECTION 2. *Food Security and Sustained Agriculture.***

- a) The Municipality shall appropriate funds necessary to support the delivery of basic social services specially food security and production.

The Municipality thru the Office of Municipal Agriculture, in consonance to RA 9710 shall:

- a.1) Undertake programs and projects on food security that gender-responsive;
  - a.2) Recognize women as farmers and fisher folk and give them equal opportunities to participate in programs and projects;
  - a.3) Ensure the active and direct participation of rural women's groups, other the Rural improvement Clubs, in policy and program formulation, planning and designing, implementation, monitoring and evaluation of DA programs at the local levels including, but not limited to, the rice master plan;
  - a.4) Ensure that girl-children and women benefit from all DA programs;
  - a.5) Ensure food safety by strengthening food management, control and regulatory systems, including provision of necessary facilities; and
  - a.6) Promote community-based seed banking initiated and operated by women and barangay level sustainable resources management.
- b) Access to small farmer-based and controlled seeds production and distribution shall be ensured and protected.
- c) Equal rights shall be given to women to be members of farmer's organization to ensure wider access to the control of the means of production.

**SECTION 3. *Access to science and Women/Men-Friendly Alternative Technology Education (Promotion of Environment Friendly Technologies).*** The Municipal Government thru Office of the Municipal Agriculturist in cooperation with Office of the Provincial Agriculturist, DOST, TESDA, DTI, DOLE, and other related line agencies, shall establish a science and women/men-friendly alternative technology center for rural women/men in the Municipality.

- a) Clean Air
- b) Clean Water
- c) Protected Areas
- d) Mining Act
- e) ESWM Act

3.1 Women have shared responsibility on environmental protection and management geared towards ensuring the capacity to meet the needs of the present and future generations;

3.2 As provided in MCW Rule V, Sec. 23, Equal Rights of women to the enjoyment, use and management of land, water and other natural resources within their communities.

3.3 Equal opportunity of both men and women and children to access safe and clean water;

3.4 Equal participation in the management of protected areas in consonance with the Protected Area Management Board; and

3.5 Full participation of women in planning, designing, implementation, monitoring and evaluation of costal management program

## Article XIV

### Disaster Risk Reduction and Management

**SECTION 1 –People Affected by Disasters, Calamities and other Crisis Situation - Pursuant to RA 10121, the Municipal Government of La Paz, Leyte shall:**

- a) Uphold the people’s constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the LGU’s institutional capacity for disaster risk reduction and management and building resilience of local communities to disasters including climate change impacts;
- b) Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the barangay;
- c) Develop, promote and implement a comprehensive Municipal Disaster Risk Reduction and Management Plan (MDRRMP) that’s aims to strengthen the capacity of the Municipality, together with partner stakeholders, to build disaster resilience of communities, and to institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhancing disaster preparedness and response capabilities and all levels;
- d) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan at various levels of government adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection;
- e) Mainstream disaster risk reduction and climate change in development processes such as policy formulation, socioeconomic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, energy, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing, among others;
- f) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities;
- g) Mainstream disaster risk reduction into the peace process and conflict resolution approaches in order to minimize loss of lives and damage to property, and ensure the communities in conflict zones can immediately go back to their normal lives during periods of intermittent conflict;
- h) Ensure that disaster risk reduction and climate change measures are gender responsive, sensitive to indigenous systems, and respectful of human rights;
- i) Engage the participation of civil society organizations (CSOs), the private sector and volunteers in the government’s disaster risk reduction programs towards complementation of resources and effective delivery of services to the Citizenry;
- j) Develop and strengthen the capacities of vulnerable and marginalized groups to mitigate, prepare for, respond to, and recover from the effects of disasters;
- k) Enhance and implement a program where humanitarian aid workers, communities, health professionals, government aid agencies, donors, and the media are educated and trained on how they can actively support breastfeeding before and during a disaster and/or an emergency;
- l) Provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities; and

- m) Conduct and activity in observance to Disaster Resilience Month during the month of July of every year to promote consonance with the Presidential Executive Order No. 29 s 2017.

**SECTION 2 - Women in Especially Difficult Circumstances.** The Municipal Governance shall deliver the necessary services and interventions to WEDC as necessary such as, but not limited to, the following:

- a) Temporary and protective custody;
- b) Medical and dental services;
- c) Psychological evaluation;
- d) Counseling;
- e) Psychiatric evaluation;
- f) Legal services;
- g) Productivity skills capability building;
- h) Livelihood assistance;
- i) Job placement;
- j) Financial assistance; and
- k) Transportation assistance

## ARTICLE XV

### FINAL PROVISIONS

**Section 1 – Repealing Clause-** All ordinances, circulars, memoranda or rules and regulations inconsistent with the provisions of this Code are hereby repealed and modified accordingly.


**Section 2 – Separability Clause-** If for any reason, any portion or provisions of this code is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue in full force and affect.

**Section 3 – Suppletory Clause –** On matters not provided in this Code, existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances therefor, shall apply in supplemental manner.

**Section 4 – Effective Clause –** This code shall take effect fifteen (15) days after its approval by the Sangguniang Panlalawigan.

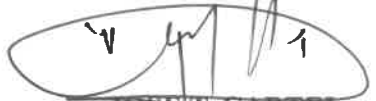
**UNANIMOUSLY approved.**


  
**ALVIN M. TEJOME**  
Sangguniang Bayan Member

  
**JOEL C. CINCO**  
Sangguniang Bayan Member

  
**ARACELI P. GO, CPA**  
Sangguniang Bayan Member

  
**RELY F. RELANO**  
Sangguniang Bayan Member


  
**JOSE T. CARTEL**  
Sangguniang Bayan Member

  
**PIO S. BARONA**  
Sangguniang Bayan Member

  
**OSCAR G. TAN-PIENGO, J. D.**  
Sangguniang Bayan Member

  
**MARLOU T. MARTICIO**  
Sangguniang Bayan Member

  
**NOEL M. SIA**  
Liga ng mga Barangay President

  
**ARIANNE MARIE P. GO**  
President, Pambayang Pederasyon  
ng mga Sangguniang Kabataan

**I HEREBY CERTIFY** to the correctness of the foregoing quoted Municipal Ordinance which was duly adopted by the Sangguniang Bayan of La Paz, Leyte during its regular session held on **June 05, 2023**.



**ERWIN M. CERNAL**  
*Secretary of the Sangguniang Bayan*

**ATTESTED:**



**LYNDO A. QUIÑA**  
*Municipal Vice Mayor/Presiding Officer*

**APPROVED:**



**ANGELA A. SIA, JR.**  
*Municipal Mayor*



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of La Paz

-0-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SECOND REGULAR SESSION OF THE  
SANGGUNIANG BAYAN OF LA PAZ, LEYTE HELD ON JULY 07, 2011 AT THE  
MUNICIPAL SESSION HALL

RESOLUTION NO. 48-C

RESOLUTION ADOPTING ORDINANCE NO. 05, SERIES 2011 THAT  
PROVIDES FOR A GENDER AND DEVELOPMENT CODE OF THE  
MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES

Introduced by: HON. ANDREA A. LOR  
HON. ERWIN M. CERNAL  
HON. JOSE M. GO

**WHEREAS**, the Municipality of La Paz, Leyte recognizes the fundamental equality of women and men before the law as articulated by the Philippine Constitution;

**WHEREAS**, there is a need to address the structures of inequality in traditionally patriarchal society through appropriate measures including legislation;

**WHEREAS**, the enactment of a Gender and Development Code of the Municipality of La Paz, Leyte shall mainstream gender in the policies, programs, plans and activities of the local government, pursuant to Republic Act 7192, otherwise known as the "**Women in Development and Nation Building Act.**"

**NOW THEREFORE**, on motion of the Honorable Andrea A. Lor, unanimously seconded by all its members present, be it;

**RESOLVED**, as it is hereby resolved, to adopt Ordinance No.05, series 2011 that provides for a Gender and Development Code of the Municipality of La Paz, Leyte and for other purposes;

**RESOLVED FURTHER**, to enact the following ordinance:

**ORDINANCE NO. 05**  
Series 2011

**AN ORDINANCE PROVIDING FOR A GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES**

Be it ordained by the Sangguniang Bayan of the Municipality of La Paz, Leyte in session assembled:

**CHAPTER 1**

**GENERAL PROVISIONS**

**ARTICLE I**

**TITLE, GENERAL PROVISIONS, DECLARATION OF PRINCIPLES AND DEFINITION OF TERMS**



Section 1. - **Title** - This ordinance shall be known as the **"GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE."**

Section 2 - **General Policy of the Municipality of La Paz** - It shall be the policy of the Municipality of La Paz, Leyte to uphold the rights of women and men and believe in their worth and dignity as human beings. Women shall be recognized as full and equal partners of men in development and nation building and men shall equally share in all forms of productive and reproductive activities.

The Municipality of La Paz, Leyte shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. It shall endeavor to undertake development efforts that shall enhance women's full potential, uplift their status and improve the quality of their lives and their families.

Section 3 - **Declaration of Principles** - The Municipality of La Paz, Leyte adheres to the democratic principle that women and men are equal as well as to the declaration of the United Nations, to wit:

- a. Women have the right to the prevention of and protection from all forms of violence and coercion against their person, their freedom, their sexuality and their individuality.
- b. Women have the right to freely and fully participate - individually or collectively - the political processes prevalent in their community and nation.
- c. Women have the right to knowledge and education necessary for the full exercise of their productive rights according to their beliefs and preferences.
- d. Women have the right have the right to the means of ensuring their economic welfare and security
- e. Women have the right to choose their spouses in accordance with their values and preferences maintain equality in marriage, work for its dissolution if need be, and obtain adequate support for the caring of their children
- f. Women have the right to adequate nutrition and proper health care
- g. Women have the right to humane living conditions
- h. Women have the right to nurture and enhance their personhood collectively and individually, to secure an image of themselves as whole and valuable human beings, and to build relationships based on respect, trust and mutuality
- i. Women have the same rights and responsibilities as parents, irrespective of their marital status, in matter relating to their children; in all cases the interests of the children shall be paramount
- j. Women have the same rights to decide freely and responsibility on the number and spacing of their children and have to have access to the information, education and means to enable them to exercise these rights
- k. Women have the same rights and responsibilities with regard to guardianship, warship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount
- l. The personal rights as husband and wife, including the right to choose a family name, a profession and an occupation
- m. Women have the same right for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration
- n. Women have the right to equality before the law in principle and in practice.

Section 4 - **Definition of Terms** - Whenever used in this ordinance, the following terms and phrases shall mean:

- a. **Accredited Women's Organizations** - include those, but not limited to, groups of women organized either formally, informally or voluntarily, and given certificate of recognition by the Municipal Network of Women organizations and Gender and Development non-government organizations, after undergoing gender sensitivity, concretization, leadership and other capability building processes

- b. **Batter**- refers to an act inflicting physical harm upon the woman on her child resulting to the physical and psychological or emotional distress
- c. **Battered Woman Syndrome** - refers to the scientifically defined of psychological and behavioral symptoms found in woman living in battering relationships as a result of cumulative abuse.
- d. **Differently-Abled Women** - are women of physical impairment and have differentiated needs and potentials
- e. **Discrimination Against Women** - is any distinction, exclusion or restriction, made on the basis of basis of sex which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of the rights irrespective of their marital status.
- f. **Domestic Violence** - is any form of abuse or battering which a person inflicts upon a member of his/her immediate family or his/her relatives. Violence against women shall include but not limited to physical, sexual and psychological violence occurring in the family and other relationships , including battering, sexual abuse of wife and female children in the household dowry-women, non-espousal violence and violence related to exploitation.
- g. **Gender** - is the set of characteristics, roles and expectations attributed particularly to women and men by society
- h. **Gender and Development or GAD** - is an approach to or a paradigm of development that focuses on how social, economic, political and cultural forces determine hoe differently women and men participate in, benefit from, and control resources and activities for development. It is a framework of analysis that seeks to understand the role of gender in the attainment of development goals.
- i. **Gender Mainstreaming** - is a strategy of integrating including and addressing gender and development concerns and issues at all levels of governance
- j. **Gender-sensitive** - is understanding the marginalized position of women vis-a vis men
- k. **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.
- l. **Mail Order Bride** - is a practice where a woman establishes personal relations with a male-foreign national via mail, cyberspace or similar means, upon recruitment by an individual or agency for the purpose of exploiting women in the guise of marriage
- m. **Pedophilia** - is a form of sexual perversion where children are the preferred victim and is committed under the following circumstances:
  1. When the offender shall have sexual intercourse with a girl;
  2. When the offender shall have anal intercourse with a boy or a girl;
  3. Other pedophilic acts other than sexual or anal intercourse which will include custodial abuse
- n. **Pornography** - is a written, graphic or other form of communication intended to execute lascivious feelings. (The Grolier International Dictionary, Volume 2).
- o. **Provincial Gender and Development Council** - is the highest policy making and determining body on matters of gender issues and concerns, which shall focus on gender-related projects and activities
- p. **Prostitution** - is the sale, purchase and exchange of men, women and minors for sexual exploitation, cash, profit or other economic considerations by an individual, including but not limited to pimps, procurers of the service, parents, owners of establishments, such as disco houses, bars, sauna baths, massage clinics, hotels and restaurants and any other person who uses of various schemes to prostitute men, women and children
- q. **Psycho Social Program** - is an intervention using a system approach to condition of women as it views women's differentiated needs in a social context.

- r. **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 reproductive system and to its functions and processes
- s. **Sexuality** - is one's expression of personhood on the basis of administration and self-appreciation and satisfaction of needs.
- t. **Sexual Harassment** - is an act, or a series of acts, involving any unwelcome sexual advances, requests or demands for sexual favors, or other verbal or physical behavior of a sexual nature, made impliedly, directly or indirectly, as defined and penalized under **RA 7877**, otherwise known as the "**Anti-Sexual Harassment Act of 1995.**"
- u. **Sex Trafficking** - is the covert or overt recruitment of men, women and children into the sex industry. It includes new forms of sexual exploitation such as sex tourism, the recruitment of laborers for sexual purposes in guise of hiring them as domestics in developed countries, and organized marriages between women from Third world Countries and foreign male nationals. It is a system in which men and women and children become movable properties and objects of exchange.
- v. **Survivor's Support Group** - is an organized group of women and men to whom a survivor of violence voluntarily agrees to establish a professional helping/rehabilitation process.

**ARTICLE II  
VIOLENCE AGAINST WOMEN**

Section 5 - **Domestic Violence** - Domestic violence shall include but not limited to physical, sexual and psychological violence occurring in the family and other relationships, including battering, sexual abuse of wife and children in household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-espousal violence and violence related to exploitation.

Section 6. - **Violence in the Home, Community and Institution** - Domestic violence and other forms of violence (a) occurring within the general community including rape, sexual abuse, sexual harassment, intimidation at work, in educational institutions and elsewhere or (b) physical, sexual and psychological violence perpetrated against women and condoned by the state, wherever and whenever it occurs.

Section 7 - **Women Trafficking** - Barangays shall pass local ordinances to curb trafficking and protect trafficking victims. The barangays shall coordinate with other agencies to conduct information campaign against trafficking. It shall support community initiatives against trafficking especially in the monitoring and documentation of trafficking cases, providing support to trafficking victims and their family and in the arrest and apprehension of perpetrators of trafficking.

Section 8 - **Violence in Armed Conflict** - Human rights of women in situations of armed conflicts are violated particularly in cases of murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.

The Municipal government shall exhaust all peacekeeping measures (e.g. **dialogue**) see to it that women and children are secured and protected from any foreseeable harm and danger

Section 9 - **Violence in Reproductive Right** - The local government shall ensure that women reproductive rights are not violated through forced sterilization and forced abortion, coercive, forced use of contraceptive, prenatal sex selection and female infanticide.

Section 10 - **Feminization of Poverty** - It is a condition when gap between the rich and the poor widens and grassroots women bear the brunt as in economic instability and unequal distribution of wealth. Such gap reinforces non-response to both practical and strategic interest in women (e.g. women are forced to incur financial obligation to augment and insufficient income of the family).

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The municipal government should provide women access to economic opportunities and social services to uplift their quality of life.

Section 11 - **Prostitution as a Violation of Men and Women's Rights** - Prostitution is deemed a violation of human rights and exploitation of women and men who have no real choices for survival.

The local government shall implement measures to prevent prostitution by providing alternative livelihood and psychological services to women and men, victims of prostitution. Persons and establishments that are responsible for the prostitution of women and men should be prosecuted in accordance with law.

Section 12 - **Printing, Publication, Display and Distribution of Pornographic materials and Shows.** The printing, publication, display and distributions of pornographic materials and shows exhibiting women as sex object and commodities is a violation of women's rights. As such they are punishable by law.

Section 13 - **Other Forms of Violence Against Women - (a) Sex Trade (b) Sex Tours, Individuals and Establishments** that engages in sex trade and sex tours shall be prosecuted in accordance with law.

### ARTICLE III RAPE

Section 14 - **When and How Committed** - Rape is committed:

1. By a man who shall have carnal knowledge of a woman under any of the following circumstances:
  - a. Through force, threat or intimidation;
  - b. When the offended party is deprived or reason or otherwise unconscious;
  - c. By means of fraudulent machination or grave abuse of authority'
  - 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 other person's mouth or ~~anal~~ orifice, or any instrument or object, into the genital or anal orifice of another person.

Section 15 - **Rape in Intimate Relations** - Intimate or marital relations shall not be a legal impediment to any complaint against an act of rape as provided for in Section 14 of this Code. Further, marital relationship shall not serve as legal impediment to the prosecution of rape where.

- a. Spouses are legally separate; or
- b. There is a separation in fact of at least six months

Section 16 - **Support from Law Enforcers** - The law enforcers, preferably of the same sex or his/her authorized alternatives as the offended party, upon receipt of a complaint of rape, shall:

- a. Immediately conduct investigation within **24** hours
- b. Arrange for counseling of the offended party;
- c. Gather evidence for the arrest and prosecution of suspects;
- 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 filing, regardless of his/her evaluation of the cases.

Section 17 - **Investigation and Examination of Rape Survivor** - It shall be the duty of the investigating officer or the examining physician to ensure that only persons expressly authorized by the examining physician and/or the rape survivor are allowed inside the rooms where the investigation or medical or physical examination is being conducted. The local government and the Philippine National Police must provide room for the investigation of such cases.

Section 18 - **Suspension of government Officials or Employees** - The following steps shall be undertaken against a government official or employee charged with rape

- a. The immediate preventive suspension for a period of **60** days must be imposed upon any government official or employee charged with rape, provided that a verified complaint has been filed therefore; and
- b. It is the duty of the superior officer if respondent public official or employee to facilitate the free, speedy and objective investigation of the complaint and to ensure the protection of the complaint.

The official having authority, influence or moral ascendancy over another person charged with rape shall be penalized in accordance with pertinent laws.

Section 19 - **Protective Measures** - At any stage of the preliminary examination or investigation, prosecution and trial of a complaint for rape, the following measures shall be observed.

- a. The right to a closed door hearing unless expressly waived by the offended party;
- 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; and
- d. Any other analogous measures that will ensure the protection of the identity of the offended party and his or her family from undue sensationalized publicity.

#### **ARTICLE IV HEALTH RIGHTS**

Section 20 - **Budget for Women's and Men's Health** - A reasonable portion of the health-related budget of the Municipal Government shall be allocated and appropriated for women's and men's health services.

Section 21 - **Upgrading of Health Care Delivery System** - Quality health care and services that are not discriminatory on account of gender, age, creed and religion shall be implemented in the municipality of La Paz.

The municipal government of La Paz shall encourage the use of preventive and alternative approaches to health care and it shall continuously address the leading causes of death among women of reproductive age (*e.g. heart diseases, tuberculosis, breast cancer, pregnancy-related deaths, cervical cancer and other diseases*).

Section 22 - **Nutritional Support and Education for Pregnant And Lactating Women** - The municipal government of La Paz, through the Municipal Health Office, shall promote and uphold nutritional support and education for pregnant and lactating women. Men shall be included in the nutritional literacy campaign.

Section 23 - **Protection for Women and Men against Hazard and Risks** - Women and Men should be protected against all kinds of environmental, occupational and health hazards and risks.

Section 24 - **Reproductive Health Care Delivery** - The Municipal Government of La Paz shall adopt the reproductive health care approach at all levels of health care delivery. Such approach integrates 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.

Family planning responsibilities and concerns shall be borne by both the wife and the husband.

Section 25 - **Women's Control Over their Bodies** - Women's decision to prevent and control pregnancy, excepting abortion, shall be given appropriate support and guidance by health professionals, private and public, at a very minimal cost.

Section 26 - **Gender-Sensitive Crisis Intervention Unit** - The Municipal Government of La Paz shall cause the establishment of Gender-Sensitive Crisis Intervention Units at all levels of health care, and shall provide service training to all health and other allied personnel who shall be assigned to this unit.

Section 27 - **Gender-Fair Approach to Pre-Marital Counseling Program** - The municipal government of La Paz shall review and redesign a Pre-Marital Counseling Program. It shall be jointly undertaken by the Municipal Gender and Development Office and the Municipal Health Office and other concerned agencies. Agencies involved shall adhere to the principle of gender-fair pre-marital counseling service.

Section 28 - **Gender-Fair Approach to Pre-Natal Check-up and Marital Care Service** - Health provision in this municipality should be gender sensitive and should give due courtesy and respect to pregnant women seeking pre-natal check and other maternal care services

Section 29 - **Primary Health Care Services** - The municipal government of La Paz shall strengthen the delivery of primary health care services in the context of reproductive health, which shall primarily be undertaken by the Municipal Health Office. For this purpose, it shall assign personnel one day every month to address women's health problems.

Section 30 - **Separate and Clean Comfort Rooms for Men and Women in all Establishments, Workplaces and Public Places** -All government and private establishments shall have separate and clean comfort rooms for men and women. Women should be provided with more comfort rooms.

#### ARTICLE V EDUCATION RIGHTS

Section 31 - **Alternative Learning System for Men and Women** - The municipal government should adopt and implement an alternative learning system to provide women and men to basic education. This could be done in the form of a home study program and other non-formal education.

Section 32 - **Promotion of Gender Sensitive Curricula** - The schools of the municipality shall promote gender sensitive counseling and career education programs to encourage women to pursue academic and technical courses in order to widen their future career opportunities.

Schools curricula in both formal and non-formal technical and vocational schools and educative materials must not be gender discriminatory or biased against women.

Section 33 - **Non-Traditional Courses for Women** - The municipal government of La Paz, shall make accessible men dominated non-traditional courses such as welding, carpentry and plumbing to all women desiring to engage in men-dominated functional and practical education in all barangays in the locality.

Section 34 - **Literacy Program for Women in Rural Areas** - The municipal government of La Paz through the Municipal Gender and Development Council, shall device and conduct literacy programs for women in rural areas.

Section 35 - **Admission to Formal Education** - Admission to formal and professional courses shall be non-discriminatory on account of gender and civil status.

Section 36 - **Gender-Friendly Schools Facilities and Amenities** - School administrators in La Paz shall ensure the provision of gender-friendly school facilities and amenities.

Section 37 - **Sex Education** - Sex Education shall be integrated in the curricular offerings of all schools in the Municipality of La Paz.

Section 38 - **Monitoring and Reporting of Stereotyped Portrayal of Roles and Women and Men in Education Materials** - The Municipal Gender and Development Council shall coordinate closely with the Department of Education (**DepEd**), La Paz District, in monitoring and reporting of stereotyped portrayal of role of women and men as projected in educational materials.

Section 39 - **Non-discrimination of Unmarried Pregnant Girls and Women** - Girls and Women who become pregnant while in school without the benefit of marriage should be allowed to continue their education. No school may require or compel these girls and women to get married for school admission or graduation purposes.

#### ARTICLE VI CULTURAL AND RELIGIOUS RIGHTS

Section 40 - **Policy on Cultural and Religious Rights** - The gender and development paradigm in the municipality of la Paz shall encourage, promote and enhance a mutual, harmonious and complimentary male-female relationship and shall be contextualized within the Filipino culture, and the same shall not hamper the development of each.

To ensure the development of a gender-fair, gender-sensitive and critical mass of La Paznons, consciousness-raising, cognitive and effective capability building and educational activities shall be given priority in gender-based project/development, supplemented with information, education and communication and advocacy campaigns.

Section 41 - **Cultural Heritage** - La Paznon's cultural heritage (**dances, songs, literature, visual arts and historical landmarks**) shall be preserved. They must not be overly exploited and commercialized to lose their creativity, integrity and historical value. La Paz shall pursue its search for indigenous cultural identity through research and shall be popularized through multi-media communication.

Section 42 - **Degrading Exhibitions** - Shows, contests and performances degrading and commodifying women and men shall be banned. Likewise, advertisements presented in multi-media forms depicting the same shall be prohibited.

Section 43 - **Schools Curricula on Gender Concerns** - To correct stereotyping of gender in schools curricula, the municipal government shall impress upon the District Supervisor and all school administrators the need, even the urgency, of instituting integrating and promoting gender sensitivity and equality into their curriculum.

Section 44 - **Religious Affiliation** - Each spouse shall have the right to choose his/her religious affiliation and abide by its moral teachings, and shall have the right to freely exercise its rights, practices and beliefs, as long as the same is not contrary to law, morals, good customs, good order and public policy. Children, when they reach the age of majority, shall enjoy the same right.

Section 45 - **Recreational Infrastructure Facilities** - the municipal government of La Paz shall provide recreational infrastructure facilities for both women and men.

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

Section 46 - **Observance of Women's Month in March** - In accordance with the National Celebration of Women's month in the month of March, the municipality shall implement activities highlighting the contribution of women in nation building.

Section 47 - **La Paznon's Women Assembly** - The Women's Assembly shall be held during the Municipal Day of Action for Women.

Section 48 - **Self-Organization of Women** - Self-organization of women shall be encouraged and recognized in the municipality and barangays. The municipal government shall support the formation of organizations, groups, associations and chapters in all levels, including the formation of coalitions, federations, alliances, or aggrupation in the municipal and barangay levels.

Section 49 - **Representation in Local Special Bodies** - The municipal government shall ensure representation of women in all local special bodies in the municipal and barangay levels, in accordance with the pertinent provisions of the Local Government Code of 1991 and its implementing rules and regulations.

Section 50 - **Elective and Appointive Local Government Officials** - Local Government officials shall be gender sensitive to effect gender sensitive legislations, policies and programs.

Section 51 - **Gender Mainstreaming** - Barangays shall mainstream gender concerns in local government program and project planning implementation and management.

Section 52 - **Role of Women in Peace and Justice Issues and Processes** - The network of women organizations and non-government organizations shall be formally consulted on peace and development issues and processes on the basis of social equity and justice. Women shall likewise be represented in peace negotiations and processes.

Section 53 - **Women in Law Enforcement Positions** - All qualified women shall be accorded the opportunity to assume at least 20% of law enforcement positions in the municipality.

**ARTICLE VIII  
LABOR AND EMPLOYMENT**

Section 54 - **Anti-Sexual Harassment** - All local offices, agencies and establishments or companies in La Paz, Leyte, both government and private, shall conduct seminars/orientations on sexual harassments. A committee on Decorum and Investigation (**CODI**) shall be created in the municipal government in accordance with Civil Service Rules.

Section 55 - **Equal Opportunity for Women Workers** - Women workers shall be afforded equal opportunities in employment in the implementation of government and private projects.

Section 56 - **Creation and Promotion of Employment and Entrepreneurial Opportunities for Women** - To prevent out-migration of workers, especially women, the Municipal Government of La Paz shall develop programs and projects that will promote employment opportunities for women. It shall ensure the implementation by all establishments of the provisions on minimum wage law, fringe benefits and other incentives provided for employees and workers.

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Section 57 - **Non-discrimination in Hiring and Employment** - Physical attributes, religion, civil status, creed, ethnicity, among others, shall not be reasons for disqualifications or non-disqualifications in the hiring and employment both by the government and private institutions, agencies and establishments.

Section 58 - **Support Services for displaced and/or Returning Overseas Filipino Workers**- The municipal government, through the Municipal Gender and Development Council and with the assistance of the Department of Labor and Employment (**DOLE**) and other national agencies, shall set up support services programs for displaced and/or returning overseas workers.

Section 59 - **Labor Unions in Public and Private Employment** -The Municipal Government of La Paz recognizes the right to self-organization and determination of employees, especially women workers. It shall, with the assistance of the Civil Service Commission and the Department of Labor and Employment, advocate and encourage the formation and organization of employees or workers' union in public offices, departments and agencies and in private establishments and companies.

Section 60 - **Benefits of domestic helpers** - Labor Law Education for employees - The Municipal government of La Paz with the assistance of the Department of Labor, shall spearhead the continuing education for private employers and their employees on labor laws and standards.

Section 61 - **Grievance Machinery** - It shall be mandatory for all government and private offices, agencies and establishments or companies to set up Grievance Committee which shall act on complaints and violations of the provisions of this Code.

Section 62 - **Facilities and Support System for Women** - The Municipal Government of La Paz shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:

- a. Provide seats proper for women and permit them to use such seats when they are free from work during working hours, provided they can perform their duties in this position without detriment to efficiency;
- b. Establish separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing room for women before a business permit is issued;
- c. Establish a crèche in a workplace for the benefit of the women employee therein; and
- d. Provide breastfeeding center for women in the workplace.

Section 63 - **Reproductive Health Services** - Companies as well as labor Intensive establishments shall provide reproductive health services to working women and men, regardless of civil status.

Section 64 - **Monitoring System for Labor Standards** - A mechanism shall be installed by the Municipal Gender and Development Council to monitor all offices, agencies and establishments or companies violating Labor Code provisions and the provisions of this Code.

#### **ARTICLE IX SOCIO-ECONOMIC BENEFITS FOR WOMEN**

Section 65 - **Capital Assistance for Women** - It shall be the policy of all local government units and agencies engaged in socio-economic programs and activities to provide assistance and/or subsidy to women, especially on land-based projects encouraging community bank approach.

Section 66 - **Availment of Capability Building Assistance** - Prior to extension and availment of financial assistance, women groups shall have attended consciousness raising activities, gender and development (**GAD**) orientations and sensitivity trainings, community organizing and other capability building and project-related trainings and/or educational activities conducted by competent training organizations upon presentation of certificates of completion as evidence.

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**Section 67 - Preference to Land Distribution** - Qualified women-headed households and families shall be given preference to equitable distribution of alienable and disposable idle public lands.

**Section 68 - Promotion of Land-Based Distribution** - Women shall have full access and control over the maximum utilization of land and other indigenous resources. The Municipal Government of La Paz shall promote and support land-based projects ensuring food security for rural women utilization science and women-friendly appropriate technology instilling collectivism.

**ARTICLE X  
SPECIAL SECTORAL CONCERNS**

**Section 69 - Special Education for the Elderly and Differently-Abled Women** - There shall be a special education program for the Elderly and differently-abled women in La Paz as provided for in Republic Act 7277, otherwise known as "The Magna Carta for Disabled Persons."

**Section 70 - Creative Employment Opportunities for Differently-Abled Women** - The Municipal Government of Leyte shall develop creative employment opportunities for differently-abled women, recognizing their differentiated conditions and full potentials as human beings.

**Section 71 - Support Services for the Elderly Women** - The Municipal Government of La Paz, through the Municipal Social Welfare and Development Office and other national offices, shall provide support services and alternative sources of income for elderly women.

**Section 72 - Reporting of Cases of Harassment Committed Against Elderly and Differently-Abled Women** - The Municipal Government of La Paz, through its Municipal Gender and Development Council, shall require all barangays to monitor and report cases of harassment committed against elderly and differently-abled women.

**Section 73 - Organization of Elderly and Differently-Abled Women** - Each municipal shall create a committee for the elderly and differently-abled women within the municipal development council in order to advance the interests of this special group of women.

**Section 74 - Support Funds for the Elderly Persons** - Funds shall be allocated and appropriated to support elderly persons for emergency assistance, routine physical check-up, social group program and relevant socio-economic activities.

**Section 75 - Day Center for Senior Citizens** - There shall be a center for the elderly in the municipality to render comprehensive support services. All barangays are likewise encouraged to establish day centers for the elderly if their resources warrants.

**Section 76 - Program for Women in Detention** - The rights of all women and detainees shall at all times be protected, and the speedy trial and early dispositions of their cases shall be ensured by all concerned. An appropriate program shall be designed to respond to the specific needs and problems of women and for their immediate and full rehabilitation.

The Municipal Government of La Paz shall that there shall be separate detention cells for male and female.

**Section 77 - Solo Parents** - Solo parents who seek counseling and other services shall be given the response appropriate to their needs. They shall have equal access to support services and be assured non-discriminatory treatment from both public and/or private institutions.

**Section 78 - Special Facilities** - All establishments whether private or government shall observe the Accessibility Law.

**ARTICLE XI  
SUPPORT SERVICES**

**Section 79 - Comprehensive Support for Survivors of Violence** - The Municipal Government of La Paz shall provide an immediate comprehensive support to survivors of violence which consists of but not limited to the following: legal, medical, psychological, shelter and other forms of support services. They shall be provided by the Municipal Gender and Development Council in coordination with the Municipal Social and Development Office and other involved agencies.

**Section 80 - Survivors Support Group** - There shall be an organized group to whom a survivor of violence voluntarily agrees to establish a professional helping process. All investigations and hearing involving rape cases and other forms of violence against women and children conducted in the Police Stations, prosecutor's office and trial courts shall recognize and allow the survivor's support group to be present in the courtroom as observers and to provide moral support to the survivor's subject of litigation as expressly allowed or requested by the offended party.

**Section 81 - Role of Female Police Officials** - Complaints filed by women on battering and other forms of abuse against them shall be handled by available female police officers in the local police force who shall undergo special courses on handling cases affecting abused women.

**Section 82 - Representation of Women in the Lupong Tagapamayapa** - Women organizations shall be represented in the Lupong Tagapamayapa in accordance with pertinent provisions of law, rules and regulations.

**Section 83 - Creation of Crisis Prevention Units** - There shall be a Crisis Intervention Unit for women in each local Social Welfare and Development Office to cater to women in crisis.

**Section 84 - Inter-Agency Council Against Trafficking and Violence Against Women and Children** - An Inter-Agency Council Against Trafficking and Violence Against Women and Children shall be established in La Paz and members thereof shall be appointed by the Municipal Government with the following powers and functions:

- a. Formulate a comprehensive program to suppress the trafficking and violence against women and children
- b. Conduct massive information campaigns
- c. Undertake guidance and counseling to women for the inclusion as fiancée of foreign nationals
- d. Make representations with schools and universities for the inclusion of migration and its implications for women in all levels of curricula
- e. Refer victims to appropriate agencies
- f. Formulate a program for returning victims in cooperation with local offices of the Department of Labor and Employment (**DOLE**), Technical Education and Skills Development Authority (**TESDA**) and other government agencies involved in training and livelihood development.
- g. Secure assistance from any local government unit, department or bureaus or the national government, and
- h. Exercise all powers and functions necessary to attain its purposes and objectives.

**ARTICLE XII  
GENDER AND DEVELOPMENT**

**Section 85 - Resource Generation** - In the implementation of the provisions of this Code and that of Republic Act No. 7192, the barangay of La Paz shall ensure that five percent (5%) of their annual fund budget shall be allocated and appropriated for gender concerns, as provided for in Rule II, Section 6 (b) (2) of the implementing Rules and Regulations of Republic Act No. 7192, otherwise known as "Women in Development and National Building Act."

**Section 86 - Gender and Development** - All schools, offices, establishments or companies, departments and agencies of the local government units shall be provided with gender sensitivity orientations and trainings which shall equip them with theoretical and practical knowledge on gender issues and concerns and shall develop assessment tools for gender biases.

**Section 87 - Support for Gender Studies** - A sufficient amount shall be allotted and appropriated to gender-related documentation and researches, which shall form part of La Paz's database program development.

**Section 88 - Institutionalization of Gender-Fair Material** - There shall be institutionalized promotion and publication of gender-fair material in popular forms in La Paz.

**Section 89 - Attendance to Public Hearings** - It shall be mandatory for women's organization to attend and be presented in public hearings and consultation on matters that may directly or indirectly involve issues and concerns on women's and youth issues and/or gender and development.

**Section 90 - Role in Impact Assessments** - The Municipal Government of La Paz shall promote and recognize the active role in women in environment and social impact assessments of projects. Instruments for environmental assessment consciously determine sex dis-aggregated data.

**Section 91 - Promotion of Appropriate Technology** - The Municipal Mayor of La Paz shall actively promote an alternative technology that is appropriate and safe for women.

**Section 92 - Resource Management** - The Municipal Government of La Paz, through the Municipal Resource Management Committee, shall ensure the promotion and protection of ecological balance and full participation of women in decision-making processes on resource utilization and mobilization. It shall develop gender sensitive natural resource-based management program.

**Section 93 - Budget for Basic Social Services** - A sufficient and reasonable amount for the basic social services for women and children in extremely difficult circumstances shall be allocated and appropriated.

**Section 94 - Investment and Loans** - The Municipal Government of La Paz shall hold consultative assemblies with government and non-government women organizations in establishing contracts for loan and investment on women's welfare and development in all levels.

**Section 95 - Overseas Workers' Welfare Wives and Children** - The Municipal Government of La Paz shall conduct at the barangay level survey of overseas contract workers, results of which shall serve as basis for special support of women and children.

**Section 96 - Special Course on Overseas Contract Work** - A special course on overseas contract worker primarily to orient women in the issues and concerns relative to migration shall be systematically introduced and institutionalized specially at the barangay level.

**Section 97 - Domestic Violence** - Any acts of violence against women and children shall be prosecuted and penalized in accordance with provisions of RA 9262, otherwise known as "**Anti Violence Against Women and their Children Act of 2004.**"

**Section 98 - Soliciting Women's Services** - It is unlawful for a person to solicit a woman's service for sexual purposes as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such an act.

Any violator, shall upon conviction, suffer an imprisonment of not less than three (3) months nor more than six (6) months, and/or fine of **P2,500.00**, upon the discretion of the court.

**Section 99 - Women Trafficking** - Any person or agency, who with the use of force or deceit, lures a woman to work abroad or in La Paz or cities of the country for a particular job on a promise of high fees, but instead landed on prostitution, domestic helper or other odd jobs, shall be prosecuted and penalized under RA 9208, otherwise known as "**The Anti-Trafficking in Persons Act of 2003.**"

**Section 100 - Sex Trade** - Any agency or persons who shall engage in keeping women for sex for a fee shall suffer the penalty provided for under existing laws.

**Section 101 - Sex Tours** - Hotels, Beach Resorts, sauna baths and related establishments shall not be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of **P2,500.00** and an imprisonment of six (6) months shall constitute the penalty for violation thereof.

**Section 102 - Women in Armed Conflict Situation** - (a) No woman shall be deprived of basic social services in areas with armed conflict; (b) No women or girl shall be kept by any Philippine National Police/Military Personnel in police/military detachment/checkpoint or any analogous quarter for purposes of comfort. Violation hereof shall be penalized through the summary dismissal proceedings.

**Section 103 - Forced Marriages** - No person shall be forced to marry another person against his/her will. Any person or any agency representative committing fraudulent or coercive acts to cause and effect a forced marriage shall held liable under this Code by paying a fine of **P2,500.00** or an imprisonment of six (6) months, or both such fine and imprisonment at the discretion of the court.

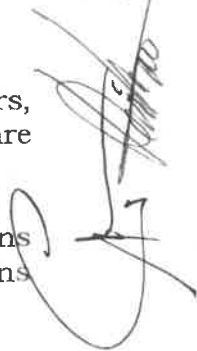
#### ARTICLE XIV FINAL PROVISIONS

**Section 104 - Repealing Clause** - All ordinances, resolutions, circulars, memoranda or rules and regulations inconsistent with the provisions of this Code are hereby repealed and modified accordingly.

**Section 105 - Separability Clause** - If for any reason, any portion or provisions of this code is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue in full force and effect.

**Section 106 - Suppletory Clause** - On matters not provided in this Code, existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances therefore, shall apply in supplemental manner.

**Section 107 - Effectivity Clause** - This Code shall take effect three (3) weeks from date of posting.





**UNANIMOUSLY approved.**

**I HEREBY CERTIFY** to the correctness of the foregoing ordinance.

  
**EDGAR P. GAYOPELIN**  
Board Secretary V


**ATTESTED:**

  
**HON. JOEL C. CINCO**  
Municipal Vice-Mayor  
(Presiding)

  
**HON. ERWIN M. CERNAL**  
Sangguniang Bayan Member

  
**HON. PIO S. BARONA**  
Sangguniang Bayan Member


  
**HON. JOSE M. GO**  
Sangguniang Bayan Member

  
**HON. SILVINO T. CONDES**  
Sangguniang Bayan Member

  
**HON. JUL CHAN CO**  
Sangguniang Bayan Member

  
**HON. JOSE T. CARTEL**  
Sangguniang Bayan Member


  
**HON. ANDREA A. LOR**  
Sangguniang Bayan Member

  
**HON. ANTONIA A. ALPINO**  
LIGA Federation President

  
**HON. RICKY C. CHUA**  
Sangguniang Bayan Member

  
**HON. JUDY MAE A. JO**  
SK Federation President

**APPROVED:**

  
**LESMES C. LUMEN, M.D.**  
Municipal Mayor



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF LA PAZ  
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**OFFICE OF THE SANGGUNIANG BAYAN**

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**CERTIFICATION OF POSTING**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **POSTING** in prominent places in the Municipal Hall and other conspicuous places in the locality was undertaken and copies of said ordinances was remain posted for three (3) consecutive weeks pursuant to Section 59 (b) of Republic Act 7190, in relation on the ordinance - **MUNICIPAL ORDINANCE NO. 03, SERIES OF 2023 – AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 5, SERIES OF 2011 – AN ORDINANCE PROVIDING THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF LA PAZ, LEYTE AND FOR OTHER PURPOSES.**

Subject ordinance is being forwarded to that Body for review in compliance with Section 56 of Republic Act 7160.

ISSUED this 7<sup>th</sup> day of June 2023 at the office of Sangguniang Bayan, La Paz, Leyte.

Very truly yours,

**ERWIN M. CERNAL**

*Secretary of the Sangguniang Bayan*