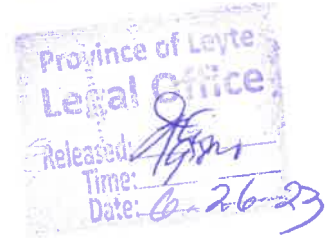
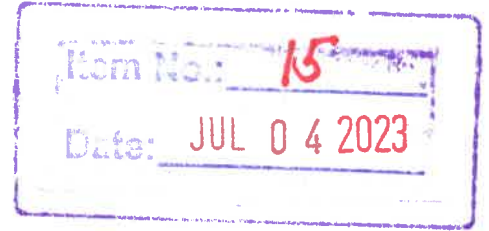


15

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

PROVINCIAL LEGAL OFFICE  
2<sup>nd</sup> INDORSEMENT  
June 23, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-03 of the Municipality of Hindang, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160.

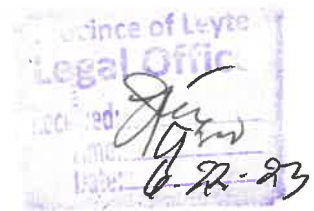
The Provincial Legal Office is of the opinion that the Ordinance is in line with Section 16 of the Local Government Code, promoting General Welfare for its constituents. It is also further noted that the provisions in the ordinance conforms with the provisions provided for in R.A. 11313 also known as the "Safe Spaces Act"

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

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1<sup>ST</sup> INDORSEMENT  
22 June 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2023-03** of the **MUNICIPALITY of HINDANG, LEYTE**, entitled: AN ORDINANCE DEFINING AND PROHIBITING GENDER BASED SEXUAL HARASSMENT IN STREETS, PUBLIC PLACES, ONLINE, WORKPLACES, EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES AND PRESCRIBING PENALTIES THEREOF.

  
**FLORINDA JILLSUYVICO**  
Secretary to the Sanggunian

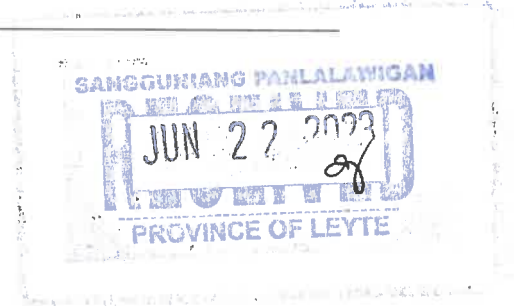


Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG  
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

09 June, 2023

**HON. LEONARDO M. JAVIER, JR.**  
*Vice Governor/Presiding Officer*  
*Sangguniang Panlalawigan*  
*Province of Leyte*



**THRU: FLORINDA JILL S. UYVICO**  
*Secretary to the Sangguniang Panlalawigan*  
*Province of Leyte*

*Sir:*

I am submitting herewith to your office Sixteen (16) sets of ORDINANCE No. 2023-03 of the Sangguniang Bayan, Hindang, Leyte, RE: "An ordinance defining and prohibiting gender based sexual harassment in streets, public places, online, workplaces, educational or training institutions, providing protective measures and prescribing penalties thereof", for review and approval of this Body.

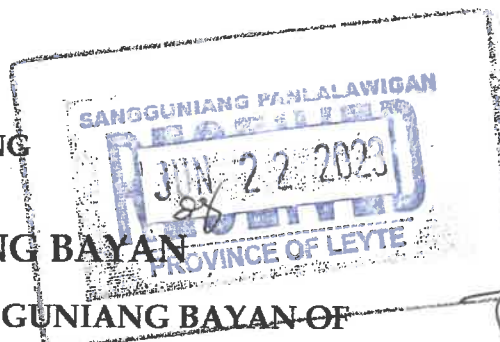
Hoping for consideration on this matter.

Thank you.

  
**ANNABEL A. MABALE**  
*Secretary to the Sanggunian*



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG  
-oOo-



**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE SANGGUNIANG BAYAN OF  
HINDANG, LEYTE, IN ITS REGULAR SESSION HELD ON APRIL 18, 2023 AT THE  
SB SESSION HALL**

**ORDINANCE NO. 2023-03**

*Author: Hon. Serafin A. Cavero*

*Co-authors:*

*Hon. Mikhael Anne Gelo Aboyme*

*Hon. Romulo D. Basañez*

*Hon. Absalon A. Bardos*

*Hon. Leonida A. Cavite*

**AN ORDINANCE DEFINING AND PROHIBITING GENDER BASED SEXUAL HARRASMENT IN STREETS, PUBLIC PLACES, ONLINE, WORKPLACES, EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES AND PRESCRIBING PENALTIES THEREOF.**

***Rationale:***

The dignity of men and women must be respected at all times Gender based sexual harassment is taking in our society today. Both men and women are preys of these acts which is happening in streets, public spaces, workplaces as well as educational and training institutions. Victims of sexual harassment can experience both physical and psychological impacts which includes anxiety, depression, headaches sleep disorders, weight loss or gain, nausea, lowered self-esteem, and sexual isfunction.as a result, the social functioning of these individuals are affected thus, they will suffer from school malfunction, drop out from school, job loss, decreased moral decreased job satisfaction, loss livelihood and even lead to death.

The irreparable damaged that sexual harassment may bring to the health, safety and total well- being of each person must be understood and given utmost importance. Protective measures must be instituted in order to prevent cases of sexual harassment from occurring, provide appropriate response to the victims and establish disciplinary measures and penalties to the abusers. Thus, this Ordinance.

**BE IT ORDAINED** by the Sangguniang Bayan of Hindang, Leyte, in its regular session assembled this date, that:

**SECTION 1- TITLE** - The short title of this Ordinance shall be known as the **ANTI-BASTOS Ordinance of the Municipality of Hindang, Leyte.**

**SECTION 2. DECLARATION OF POLICY.** It is the policy of the state to value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy of state to recognize the role of women in nation-building and ensure the fundamental equality before the law of women and men. The state also recognizes that both men and women

*Qach*

*Serafin A. Cavero*

*[Signature]*

*[Vertical signatures on the right margin]*

must have equality, security and safety not only on private but also on street, public spaces, online, workplace and educational and training institutions.

Republic Act No. 11313 Otherwise known as "Safe Spaces Act" the Local Government Unit (LGU) shall bear primary responsibility in enforcing the provisions of this Act and LGUs with the following duties:

- (a) Pass an ordinance which shall localize the applicability of this Act within Sixty (60) days of its effectivity;
- (b) Disseminate or post in conspicuous places a copy of this Act and the corresponding ordinance;
- (c) Provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars;
- (d) Discourage and impose fines on acts of gender-based sexual harassment as defined in this Act;
- (e) Create an anti-sexual harassment hotline; and
- (f) Coordinate with the Department of the Interior and Local Government (DILG) on the implementation of this Act.

### SECTION 3. DEFINITION OF TERMS.

(a) Catcalling refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs;

(b) Employee refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, whether natural or juridical, and whether private or public, who exercises fundamental control over the work, regardless of the term or duration of agreement: Provided, That for the purposes of this law, a person who is detailed to an entity under a subcontracting agreement shall be considered an employee;

(c) Employer refers to a person who exercises control over an employee: Provided, That for the purpose of this Act, the status or conditions of the latter's employment or engagement shall be disregarded;

(d) Gender refers to a set of socially ascribed characteristics, norms, roles, attitudes, values and expectations identifying the social behavior of men and women, and the relations between them;

(e) Gender-based online sexual harassment refers to an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft;

(f) Gender identity and/or expression refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex in which case this person is considered transgender:

(g) Public spaces refer to streets and alleys, public parks, schools, buildings, malls, bars, restaurants, transportation terminals, public markets, spaces used as evacuation centers,

government offices, public utility vehicles as well as private vehicles covered by app-based transport network services and other recreational spaces such as, but not limited to, cinema halls, theaters and spas; and

(h) Stalking refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's own safety or the safety of others, or to suffer emotional distress.

**ARTICLE I**

**GENDER-BASED STREETS AND PUBLIC SPACES SEXUAL HARASSMENT**

**SECTION 4. GENDER-BASED STREETS AND PUBLIC SPACES SEXUAL HARASSMENT.** The crimes of gender-based streets and public spaces sexual harassment are committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

Gender-based streets and public spaces sexual harassment includes catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic, homophobic and sexist slurs, persistent uninvited comments or gestures on a person's appearance, relentless requests for personal details, statement of sexual comments and suggestions, public masturbation or flashing of private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces such as alleys, roads, sidewalks and parks. Acts constitutive of gender-based streets and public spaces sexual harassment are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

**SECTION 5. GENDER-BASED SEXUAL HARASSMENT IN RESTAURANTS AND CAFES, BARS AND CLUBS, RESORTS AND WATER PARKS, HOTELS AND CASINOS, CINEMAS, MALLS, BUILDINGS AND OTHER PRIVATELY-OWNED PLACES OPEN TO THE PUBLIC.** Restaurants, bars, cinemas, malls, buildings and other privately-owned places open to the public shall adopt a zero-tolerance policy against gender-based streets and public spaces sexual harassment. These establishments are obliged to provide assistance to victims of gender-based sexual harassment by coordinating with local police authorities immediately after gender-based sexual harassment is reported, making CCTV footage available when ordered by the court, and providing a safe gender-sensitive environment to encourage victims to report gender-based sexual harassment at the first instance.

All restaurants, bars, cinemas and other places of recreation shall install in their business establishments clearly-visible warning signs against gender-based public spaces sexual harassment, including the anti-sexual harassment hotline number in bold letters, and shall designate at least one (1) anti-sexual harassment officer to receive gender-based sexual harassment complaints. Security guards in these places may be deputized to apprehend perpetrators caught in flagrante delicto and are required to immediately coordinate with local authorities.

**6. GENDER-BASED SEXUAL HARASSMENT IN PUBLIC UTILITY VEHICLES.** In addition to the penalties in this ordinance, the Sangguniang Bayan through an appropriate resolution upon due process of law, requesting for the cancellation of license of perpetrators found to have committed acts constituting sexual harassment in public utility vehicles, and the Land Transportation Franchising and Regulatory Board (LTFRB) may suspend or revoke the

*[Handwritten signatures and initials on the right margin]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten mark]*

franchise of transportation operators who commit gender-based streets and public spaces sexual harassment acts. Gender-based sexual harassment in public utility vehicles (PUVs) where the perpetrator is the driver of the vehicle shall also constitute a breach of contract of carriage, for the purpose of creating a presumption of negligence on the part of the owner or operator of the vehicle in the selection and supervision of employees and rendering the owner or operator solidarity liable for the offenses of the employee.

**SECTION 7. GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES COMMITTED BY MINORS.** In case the offense is committed by a minor, Municipal Social Welfare and Development (MSWDO) shall take necessary disciplinary measures as provided for under Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of

**SECTION 8. RESPONSIBILITY OF THE BARANGAY OFFICIALS.** Barangay officials should undertake necessary activities for information and dissemination of this ordinance such as posting in a conspicuous place a copy of the Ordinance, conduct of seminars, activate and coordinate the Women and Children's Protection Desk (WCPD) Hotline at Local Police Station.

(a) *Providing capacity-building and training activities.* To build the capability of local government officials and employees in implementing this ordinance in coordination with the Office of the Mayor, Municipal Social Welfare Office; the Liga ng mga Barangay (LIGA), and any accredited women's group/organization to formulate plans to carry the objectives of this ordinance.

**SECTION 9. IMPLEMENTING BODIES FOR GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES.** The local Philippine National Police (PNP) thru the Women and Children's Protection Desk (WCPD) of the PNP shall have the authority to apprehend perpetrators and enforce the law: Provided, that they have undergone prior Gender Sensitivity Training (GST). They shall be deputized to receive complaints on the street and immediately apprehend a perpetrator if caught in flagrante delicto. The perpetrator shall be immediately brought to the nearest PNP station to face charges of the offense committed. The PNP stations shall keep a ledger of perpetrators who have committed acts prohibited under this ordinance for purposes of determining if a perpetrator is a first-time, second-time or third-time offender. The MLGOO shall also ensure that all local government bodies expedite the receipt and processing of complaints by setting up an Anti-Sexual Harassment Desk in all barangay and city halls and to ensure the set-up of CCTVs in major roads, alleys and sidewalks in their respective areas to aid in the filing of cases and gathering of evidence. The MSWDO in coordination with Municipal health (MHO) shall coordinate if necessary to ensure that victims are provided the proper psychological counseling support services.

**SECTION 10. SPECIFIC ACTS AND PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES.** The following acts are unlawful and shall be penalized as follows:

- (a) For acts such as cursing, wolf-whistling, catcalling, leering and intrusive gazing, taunting, pursing, unwanted invitations, misogynistic, transphobic, homophobic, and sexist slurs, persistent unwanted comments on one's appearance, relentless requests for one's personal details such as name, contact and social media details or destination, the use of words, gestures or actions that ridicule on the basis of sex, gender or sexual orientation, identity and/or expression including sexist, homophobic, and transphobic statements and slurs, the persistent telling of sexual jokes, use of sexual names, comments and demands, and any statement that has made an invasion on a person's personal space or threatens the person's sense of personal safety:

*Qsca*

*Atty. G. Cabal*

*[Signature]*

*[Vertical signatures on the right margin]*

(1) The first offense shall be punished by a fine of Five Hundred Pesos (₱500.00) and community service of Twelve (12) hours inclusive of attendance to a Gender Sensitivity Seminar to be conducted by the PNP in coordination with the LGU and the MSWDO;

(2) The second offense shall be punished by arresto menor (6 to 10 days) or a fine of One Thousand Pesos (₱1,000.00);

(3) The third offense shall be punished by arresto menor (11 to 30 days) and a fine of Two Thousand Five Hundred Pesos (₱2,500.00).

(b) For acts such as making offensive body gestures at someone, and exposing private parts for the sexual gratification of the perpetrator with the effect of demeaning, harassing, threatening or intimidating the offended party including flashing of private parts, public masturbation, groping, and similar sexual actions

(1) *The first offense* shall be punished by a fine of One Thousand Pesos (Php1,000.00) and community service of Twelve (12) hours inclusive of attendance to a Gender Sensitivity Seminar, to be conducted by the PNP in coordination with the LGU and the MSWDO.

(2) *The second offense* shall be punished by arresto menor (11 to 30 days) or a fine of One Thousand Five Hundred Pesos (Php1,500.00)

(3) *The third offense* shall be punished by arresto mayor (1 month and 1 day to 6 months) and a fine of Two Thousand Five Hundred Pesos (Php2,500.00).

## ARTICLE II

### GENDER-BASED ONLINE SEXUAL HARASSMENT

**SECTION 11. GENDER-BASED ONLINE SEXUAL HARASSMENT.** Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, or filing false abuse reports to online platforms to silence victims.

**SECTION 12. IMPLEMENTING BODIES FOR GENDER-BASED ONLINE SEXUAL HARASSMENT.** For gender-based online sexual harassment, the PNP thru the Regional Anti-Cybercrime Unit (RACU) as the Regional Operational Support Unit of the PNP is primarily responsible for the implementation of pertinent Philippine laws on cybercrime, shall receive complaints of gender-based online sexual harassment and develop an online mechanism for reporting real-time gender-based online sexual harassment acts and apprehend perpetrators.

*Arce*

*Jesus A. Cabal*

*[Signature]*

*[Vertical signatures on the right margin]*



**SECTION 13. PENALTIES FOR GENDER-BASED ONLINE SEXUAL HARASSMENT.**

The penalty of prison mayor in its maximum period or a fine of not less than Two Thousand Five Hundred Pesos (Php2,500.00), or both, at the discretion of the court shall be imposed upon any person found guilty of any gender-based online sexual harassment.

If the perpetrator is a juridical person, its license or franchise shall be automatically deemed revoked, and the persons liable shall be the officers thereof, including the editor or reporter in the case of print media, and the station manager, editor and broadcaster in the case of broadcast media. For social Media accounts, persons liable are the domain names and account owner. An alien who commits gender-based online sexual harassment shall be subject to deportation proceedings after serving sentence and payment of fines.

Exemption to acts constitutive and penalized as gender-based online sexual harassment are authorized written orders of the court for any peace officer to use online records or any copy thereof as evidence in any civil, criminal investigation or trial of the crime: Provided, That such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses may produce, and upon showing that there are reasonable grounds to believe that gender-based online sexual harassment has been committed or is about to be committed, and that the evidence to be obtained is essential to the conviction of any person for, or to the solution or prevention of such crime.

Any record, photo or video, or copy thereof of any person that is in violation of the preceding sections shall not be admissible in evidence in any judicial, quasi-judicial, legislative or administrative hearing or investigation.

**ARTICLE III**

**QUALIFIED GENDER-BASED STREETS, PUBLIC SPACES AND ONLINE SEXUAL HARASSMENT**

**SECTION 14. QUALIFIED GENDER-BASED STREETS, PUBLIC SPACES AND ONLINE SEXUAL HARASSMENT.** The penalty next higher in degree will be applied in the following cases:

(a) If the act takes place in a common carrier or PUV, including, but not limited to, jeepneys, taxis, tricycles, or app-based transport network vehicle services, where the perpetrator is the driver of the vehicle and the offended party is a passenger;

(b) If the offended party is a minor, a senior citizen, or a person with disability (PWD), or a breastfeeding mother nursing her child;

(c) If the offended party is diagnosed with a mental problem tending to impair consent;

(d) If the perpetrator is a member of the uniformed services, such as the PNP and the Armed Forces of the Philippines (AFP), and the act was perpetrated while the perpetrator was in uniform; and

(e) If the act takes place in the premises of a government agency offering frontline services to the public and the perpetrator is a government employee.



Atty. A. Cabal



ARTICLE IV

GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE

SECTION 15. GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE. The crime of gender-based sexual harassment in the workplace includes the following:

(a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities.

(b) A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome, unreasonable, and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems.

(c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee; and

(d) Information and communication system refers to a system for generating, sending, receiving, storing or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.

SECTION 16. DUTIES OF EMPLOYERS. Employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

(a) Disseminate or post in a conspicuous place a copy of this Act to all persons in the workplace;

(b) Provide measures to prevent gender-based sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars;

(c) Create an independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall:

(1) Adequately represent the management, the employees from the supervisory rank, the rank-and-file employees, and the union, if any;

(2) Designate a woman as its head and not less than half of its members should be women;

(3) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;

(4) Investigate and decide on the complaints within ten (10) days or less upon receipt thereof;

*[Handwritten signatures and initials on the right margin]*

*[Handwritten signature]*

*[Handwritten signature: Betty A. Cabal]*

*[Handwritten signature]*

- (5) Observe due process;
  - (6) Protect the complainant from retaliation; and
  - (7) Guarantee confidentiality to the greatest extent possible;
- (d) Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall:
- (1) Expressly reiterate the prohibition on gender-based sexual harassment;
  - (2) Describe the procedures of the internal mechanism created under Section 17(c) of this Act; and
  - (3) Set administrative penalties.

**SECTION 17. DUTIES OF EMPLOYEES AND CO-WORKERS.** Employees and co-workers shall have the duty to:

- (a) Refrain from committing acts of gender-based sexual harassment;
- (b) Discourage the conduct of gender-based sexual harassment in the workplace;
- (c) Provide emotional or social support to fellow employees, co-workers, colleagues or peers who are victims of gender-based sexual harassment; and
- (d) Report acts of gender-based sexual harassment witnessed in the workplace.

**SECTION 18. LIABILITY OF EMPLOYERS.** In addition to liabilities for committing acts of gender-based sexual harassment, employers may also be held responsible for:

- (a) Non-implementation of their duties under Section 17 of this Act, as provided in the penal provisions; or
- (b) Not taking action on reported acts of gender-based sexual harassment committed in the workplace.

Any person who violates under this section, shall upon conviction, be penalized with a fine of not less than Two Thousand Five Hundred Pesos (₱2,500.00).

**SECTION 19. ROUTINE INSPECTION.** The Public Employment Services Office (PESO) and the Municipal Social Welfare Development Officer (MSWDO) shall conduct yearly spontaneous inspections to ensure compliance of employers and employees with their obligations under this ordinance.

## ARTICLE V

### GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS

**SECTION 20. GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS.** All schools, whether public or private, shall designate an officer-



in-charge to receive complaints regarding violations of this ordinance, and shall ensure that the victims are provided with a gender-sensitive environment that is both respectful to the victims' needs and conducive to truth-telling.

Every school must adopt and publish grievance procedures to facilitate the filing of complaints by students and faculty members. Even if an individual does not want to file a complaint or does not request that the school take any action on behalf of a student or faculty member and school authorities have knowledge or reasonably know about a possible or impending act of gender-based sexual harassment or sexual violence, the school should promptly investigate to determine the veracity of such information or knowledge and the circumstances under which the act of gender-based sexual harassment or sexual violence were committed, and take appropriate steps to resolve the situation. If a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects.

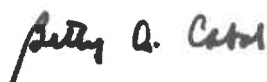
Once a perpetrator is found guilty, the educational institution may reserve the right to strip the diploma from the perpetrator or issue an expulsion order.

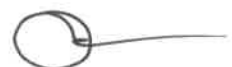
The Committee on Decorum and Investigation (CODI) of all educational institutions shall address gender-based sexual harassment and online sexual harassment in accordance with the rules and procedures contained in their CODI manual.

**SECTION 21. DUTIES OF SCHOOL HEADS.** School heads shall have the following duties:

- (a) Disseminate or post a copy of this Act in a conspicuous place in the educational institution;
- (b) Provide measures to prevent gender-based sexual harassment in educational institutions, like information campaigns;
- (c) Create an independent internal mechanism or a CODI to investigate and address complaints of gender-based sexual harassment which shall:
  - (1) Adequately represent the school administration, the trainers, instructors, professors or coaches and students or trainees, students and parents, as the case may be;
  - (2) Designate a woman as its head and not less than half of its members should be women;
  - (3) Ensure equal representation of persons of diverse sexual orientation, identity and/or expression, in the CODI as far as practicable;
  - (4) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
  - (5) Investigate and decide on complaints within ten (10) days or less upon receipt, thereof;
  - (6) Observe due process;
  - (7) Protect the complainant from retaliation; and
  - (8) Guarantee confidentiality to the greatest extent possible.
- (d) Provide and disseminate, in consultation with all persons in the educational institution, a code of conduct or school policy which shall:
  - (1) Expressly reiterate the prohibition on gender-based sexual harassment;







- (2) Prescribe the procedures of the internal mechanism created under this ordinance and
- (3) Set administrative penalties.

**SECTION 22. LIABILITY OF SCHOOL HEADS.** In addition to liability for committing acts of gender-based sexual harassment, principals, school heads, teachers, instructors, professors, coaches, trainers, or any other persons who has authority, influence or moral ascendancy over another in an educational or training institution may also be held responsible for:

(a) Non-implementation of their duties under Section 22 of this Act, as provided in the penal provisions; or

(b) Failure to act on reported acts of gender-based sexual harassment committed in the educational institution.

Any person who violates subsection (a) (b) of this section, shall upon conviction, be penalized with a fine of not less than Two Thousand Five Hundred Pesos (Php2,500.00).

**SECTION 23. LIABILITY OF STUDENTS.** Minor students who are found to have committed acts of gender-based sexual harassment shall only be held liable for administrative sanctions by the school as stated in their school handbook.

**SECTION 24. ROUTINE INSPECTION.** The Local School board shall conduct regular spontaneous inspections to ensure compliance of school heads with their obligations under this ordinance.

**ARTICLE VI  
COMMON PROVISIONS**

**SECTION 25. CONFIDENTIALITY.** At any stage of the investigation, prosecution and trial of an offense under this ordinance, the rights of the victim and the accused who is a minor shall be recognized.

**SECTION 26. RESTRAINING ORDER.** Where appropriate, the court even before rendering a final decision, may issue an order directing the perpetrator to stay away from the offended person at a distance specified by the court, or to stay away from the residence, school, place of employment, or any specified place frequented by the offended person.

**SECTION 27. REMEDIES AND PSYCHOLOGICAL COUNSELLING.** A victim of gender-based street, public spaces or online sexual harassment may avail of appropriate remedies as provided for under the law as well as psychological counselling services with the aid of the LGU and the MSWD, in coordination with the accredited women's association. Any fees to be charged in the course of a victim's availment of such remedies or psychological counselling services shall be borne by the perpetrator.

*[Handwritten signatures and initials on the right margin:]*  
 [Signature]  
 [Signature]  
 [Signature]  
 [Signature]  
 [Signature]  
 [Signature]  
 [Signature]  
 [Signature]

*[Handwritten signatures at the bottom:]*  
 [Signature]  
 [Signature: Jerry A. Cabal]  
 [Signature]

**SECTION 28. ADMINISTRATIVE SANCTIONS.** Above penalties are without prejudice to any administrative sanctions that may be imposed if the perpetrator is a government employee.

**SECTION 29. EXEMPTIONS.** Acts that are legitimate expressions of indigenous culture and tradition, as well as breastfeeding in public shall not be penalized.

**ARTICLE VII  
FINAL PROVISIONS**

**SECTION 30. WOMEN AND CHILDREN'S PROTECTION DESKS.** The women and children's desks now existing in all police stations shall act on and attend to all complaints covered under this Ordinance. They shall coordinate with ASHE Officers on the street, security guards in privately-owned spaces open to the public, and anti-sexual harassment officers in government and private offices or schools in the enforcement of the provisions of this Ordinance.

**SECTION 31. EDUCATIONAL MODULES AND AWARENESS CAMPAIGNS.** The MSWDO shall take the lead in a national campaign for the awareness of the law. The MSWDO shall work hand-in-hand with the MLGOO and duly accredited women's groups to ensure all LGUs participate in a sustained information campaign and the Public information Officer of the municipality to ensure an online campaign that reaches a wide audience of Filipino internet-users. Campaign materials may include posters condemning different forms of gender-based sexual harassment, informing the public of penalties for committing gender-based sexual harassment, and infographics of hotline numbers of authorities.

All schools shall educate students from the elementary to tertiary level about the provisions of this Ordinance and how they can report cases of gender-based streets, public spaces and online sexual harassment committed against them. School courses shall include age-appropriate educational modules against gender-based streets, public spaces and online sexual harassment which shall be developed by the DepEd and Public or Private educational institutions.

**SECTION 32. SAFETY AUDITS.** LGUs are required to conduct safety audits every three (3) years to assess the efficiency and effectivity of the implementation of this ordinance within their jurisdiction. Such audits shall be multi-sectoral and participatory, with consultations undertaken with schools, police officers, and civil society organizations.

**SECTION 33. APPROPRIATIONS.** The Municipality of Hindang shall appropriate funds annually to support the implementation of this Ordinance.

**SECTION 34. IMPLEMENTING RULES AND REGULATION (IRR)** Within 90 days from the effectivity of this Ordinance, MSWD as the lead department, the legal Office, in coordination with the MLGOO, the Local PNP, SB on Social services, Liga ng mga barangay, all accredited Women's Organization, the PESO, DepEd, Business Organization shall formulate the Implementing Rules and Regulation of this Ordinance.

*Gracia*

*Betty Q. Cabal*

*[Signature]*

(ORDINANCE NO. 2023-03 of Hindang, Leyte, RE: "ANTI BASTOS LAW Ordinance of the Municipality of Hindang, Leyte" .....continued)

**SECTION 35. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared unconstitutional, the remaining provisions which are not affected shall remain in full force and effect.

**SECTION 36. REPEALING CLAUSE.** All ordinances, resolution, circular, memoranda or rules and regulations inconsistent with the provisions of this code are hereby repealed and modified accordingly.

**SECTION 37. EFFECTIVELY CLAUSE.** This ordinance shall take effect after three (3) consecutive weeks of publication by way of posting copies at the bulletin board of the municipal building and in at least in two (2) in conspicuous places within the Municipality of Hindang, Leyte.

**ENACTED** this 18th day of April, 2023 by this Sanggunian in its regular session held for the purpose at the SB Session Hall, this Municipality, with the following votes:

**Yes (8)**

**No (0)**

**Abstain (0)**

*(OB Tacloban City)*

**MIKHAEL ANNE GELO D. ABOYME**

*SB Member*

*Acting Municipal Vice Mayor*

  
**LEONIDA A. CAVITE**  
*SB Member*

  
**ROMULO D. BASAÑEZ**  
*SB Member*

  
**BENEDICTO L. YANOLA**  
*SB Member*

  
**SERAFIN A. CAVERO**  
*SB Member*

  
**SORIANO B. DELALAMON**  
*SB Member*

  
**SALVADOR E. BAÑEZ, JR.**  
*SB Member*

  
**ABSALON A. BARDOS**  
*Ex Officio Member LIGA President*

  
**JESSA MONICA C. BUENAFE**  
*Ex- Officio Member-SK Fed President*

(ORDINANCE NO. 2023-03 of *Hindang, Leyte*, RE: "ANTI BASTOS LAW Ordinance of the Municipality of *Hindang, Leyte*" .....continued)


CERTIFIED TRUE & CORRECT:

  
ANNABEL A. MABALE  
*Secretary to the Sanggunian*

ATTESTED TO BE DULY ADOPTED:

  
JOSE NAPOLEON D. MONTERO  
*SB Member-Temporary Presiding Officer*

A P P R O V E D:

  
ELPIDIO B. CABAL, JR.  
*Municipal Vice Mayor*  
*Acting Municipal Mayor*





Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF HINDANG  
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

---

## CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY *that* **ORDINANCE NO. 2023-03** of the Sangguniang Bayan, Hindang, Leyte, RE: *"An ordinance defining and prohibiting gender based sexual harassment in streets, public places, online, workplaces, educational or training institutions, providing protective measures and prescribing penalties thereof"*, had been correspondingly posted in three (3) conspicuous places of the municipality as prescribed under the Local Government Code of 1991 otherwise known as Republic Act 7160.

GIVEN this 9th day of June 2023 at Hindang, Leyte, Philippines.

**ANNABEL A. MABALE**  
*Secretary to the Sanggunian*