

Item No.: 28

Date: 22 2025 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT

April 4, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-005 of the Sangguniang Bayan of Calubian, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2025-005 entitled: "An Ordinance adopting RA No. 11313, etc."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160) in consonance R.A. 11313². Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

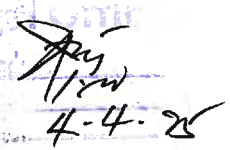
¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

² "Safe Spaces Act",


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
03 April 2025


4-4-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-005** of the **Municipality of Calubian, Leyte**, entitled: **An Ordinance adopting Republic Act No. 11313, entitled; "An act defining gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions, providing protective measures", otherwise known as the "Safe Spaces Act" and its implementing rules and regulations and prescribing penalties therefor for local implementation in the Municipality of Calubian, Leyte.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



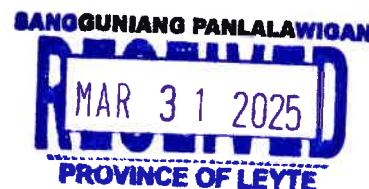
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

OFFICE OF THE SANGGUNIANG BAYAN



March 21, 2025

HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor, Presiding Officer; and
The Honorable Members of the Sangguniang Panlalawigan
Province of Leyte
New Leyte Provincial Capitol
Palo, Leyte



THRU: MS. FLORINDA JILL S. UYVICO
Provincial Government Department Head
Secretary to the Sanggunian
Province of Leyte

Dear Honorable Ladies/ Gentlemen:

Good day!

We are respectfully forwarding *fifteen (15) copies* of the following Municipal Ordinances and its supporting attachments for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte, to wit:

1. **Municipal Ordinance No. No. 2025-003**, entitled: "AN ORDINANCE REGULATING THE DISPENSING, SELLING, AND RESELLING OF PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS IN THE MUNICIPALITY OF CALUBIAN, LEYTE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF"
2. **Municipal Ordinance No. 2025-004**, entitled: "AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN THE MUNICIPALITY OF CALUBIAN, LEYTE, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION AND PROVIDING PENALTIES THEREOF, THEREAFTER ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREOF"
3. **Municipal Ordinance No. 2025-005**, entitled: "AN ORDINANCE ADOPTING REPUBLIC ACT NO. 11313, ENTITLED, "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES", OTHERWISE KNOWN AS THE "SAFE SPACES ACT" AND ITS IMPLEMENTING RULES AND REGULATIONS AND PRESCRIBING PENALTIES THEREFOR FOR LOCAL IMPLEMENTATION IN THE MUNICIPALITY OF CALUBIAN, LEYTE""

For your perusal. Please acknowledge receipt hereof.

Thank you.

Very truly yours,

ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDH (Secretary to the Sanggunian)



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE ONE HUNDRED ELEVENTH (112TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON February 3, 2025 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT:

SB Member Noel G. Eamiguel	- Member
SB Member Eugenio A. Ching, Jr.	- Member
SB Member Jullian Marc A. Batiancela	- Member
SB Member Ester P. Lubiano	- Member
SB Member Benjamin A. Calbitaza	- Member
SB Member Julia E. Halichic	- Member
SB Member Lucita A. Palconit	- Member
SB Member Alyza F. Nierras	- Member
Liga ng mga Barangay Pres. Alfredo M. Casas	-Member

FORCED LEAVE:

SK Fed. Pres. Carl Ernest D. Ponce	- Member
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OFFICER-IN-CHARGE (OIC), OFFICE OF THE MAYOR

Vice Mayor Anna Love Veloso – Laurente - Presiding Officer

ORDINANCE NO. 2025-005

AN ORDINANCE ADOPTING REPUBLIC ACT NO. 11313, ENTITLED, "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES", OTHERWISE KNOWN AS THE "SAFE SPACES ACT" AND ITS IMPLEMENTING RULES AND REGULATIONS AND PRESCRIBING PENALTIES THEREFOR FOR LOCAL IMPLEMENTATION IN THE MUNICIPALITY OF CALUBIAN, LEYTE"

INTRODUCED BY:

COMMITTEE ON TOURISM DEVELOPMENT, SOCIAL AND CULTURAL DEVELOPMENT

HON. JULIA E. HALICHIC
HON. ESTER P. LUBIANO
HON. JULLIAN MARC A. BATIANCELA
HON. ALYZA F. NIERRAS

NOW THEREFORE, on motion of SB Member Hon. Julia E. Halichic duly seconded by Hon. Alyza F. Nierras, and the Majority of all the Sangguniang Bayan members present;

BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Bayan of Calubian, Leyte in session assembled, that:

Section 1. Short Title. This Ordinance shall be known as the "Safe Spaces Ordinance".

Section 2. Declaration of Policies. 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 the 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 must have equality, security, and safety not only in private, but also on the streets, public spaces, online, workplaces, and educational and training institutions.

Section 3. Definition of Terms. As used in this Ordinance:

(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 Ordinance, a person who is detailed to an entity under a subcontracting or secondment 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 Ordinance, 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 conduct that targets a particular person that causes or is likely to cause another mental, emotional, or psychological distress and fear of personal safety. Sexual harassment acts include unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyber stalking, 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;

(h) **Stalking** refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that causes 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 actions 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, statements of sexual comments and suggestions, public masturbation or flashing of private parts, groping, or any

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Liga ng mga Barangay Pres.

ALYZA E. NIERRAS

SB Member

advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety.

These acts, committed in public spaces such as alleys, roads, sidewalks, and parks, are considered offenses. Acts constitutive of gender-based streets and public spaces sexual harassment include 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.

Section 6. Gender-Based Sexual Harassment in Public Utility Vehicles. The Sangguniang Bayan may suspend or revoke the 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 solidarily 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, the Municipal Social Welfare and Development (MSWD) Office shall take necessary disciplinary measures as provided for under **Republic Act No. 9344**, otherwise known as the **"Juvenile Justice and Welfare Act of 2006."**

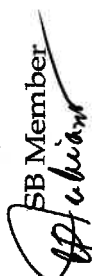
Section 8. Duties of the Local Government Unit (LGU). The Local Government Unit shall bear primary responsibility in enforcing the provisions of this Ordinance and shall have the following duties:


- (a) Disseminate or post in conspicuous places a copy of this Ordinance and the corresponding ordinances;
- (b) Provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars to be spearheaded by the MSWD Office;
- (c) Discourage and impose fines on acts of gender-based sexual harassment as defined in this Ordinance;
- (d) Create an anti-sexual harassment hotline; and
- (e) Coordinate with the Department of the Interior and Local Government (DILG) through the MLGOO on the implementation of this Ordinance.


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Section 9. Implementing Bodies for Gender-Based Sexual Harassment in Streets and Public Spaces.

The Calubian Philippine National Police and the Women and Children's Protection Desk (WCPD) of the PNP shall have the authority to apprehend perpetrators and enforcement of this Ordinance.

For gender-based streets and public spaces sexual harassment, the **Calubian Philippine National Police shall be designated as Anti-Sexual Harassment Enforcers (ASHE)**. 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 ASHE Unit / Calubian shall keep a logbook 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 & the MSWD in coordination with the Municipal Health Office and the DCWs 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, cursing, 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 -

(1) The **First Offense** shall be punished by a fine of **One Thousand Pesos (P1,000.00)**;

(2) The **Second Offense** shall be punished a fine of **Two Thousand Pesos (P2,000.00)**;

(3) The **Third Offense** shall be punished by a fine of **Two Thousand Five Hundred Pesos (P2,500.00)**.

(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 lewd sexual actions -

(1) The **First Offense** shall be punished by a fine of **One Thousand Pesos (P1,000.00)**;

(2) The **Second Offense** shall be punished a fine of **Two Thousand Pesos (P2,000.00)**;

(3) The **Third Offense** shall be punished by a fine of **Two Thousand Five Hundred Pesos (P2,500.00)**.

(c) For acts such as stalking, and any of the acts mentioned in Section 10 paragraphs (a) and (b) of this Ordinance, when accompanied by touching, pinching, or brushing against the body of the offended person; or any touching, pinching, or brushing against the genitalia, face, arms, anus, groin, breasts, inner thighs, face, buttocks, or any part of the victim's body even when not accompanied by acts mentioned in Section 11 paragraphs (a) and (b)

(1) The **First Offense** shall be punished by a fine of **One Thousand Pesos (P1,000.00)**;

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(2) The **Second Offense** shall be punished a fine of **Two Thousand Pesos (P2,000.00)**;

(3) The **Third Offense** shall be punished by a fine of **Two Thousand Five Hundred Pesos (P2,500.00)**.

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 cyber-stalking 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 Anti-Cybercrime Group (PNPACG)** as the National 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. The **Cybercrime Investigation and Coordinating Center (CICC)** of the DICT shall also coordinate with the PNPACG to prepare appropriate and effective measures to monitor and penalize gender-based online sexual harassment.

Section 13. Penalties for Gender-Based Online Sexual Harassment. The penalty of a fine of **not less than Two Thousand Five Hundred Pesos (P2,500.00)** or an **imprisonment of not more than six (6) months, 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. 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 as evidence in any judicial, quasi-judicial, legislative or administrative hearing or investigation.

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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, buses, vans, 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, but not limited to, 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.

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 Ordinance to all persons in the workplace;

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(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 days or less upon receipt thereof;
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 16(c) of this Ordinance; 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 16 of this Ordinance, 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 subsection (a) of this section, shall upon conviction, be penalized with a fine of not less than **Two Thousand Five Hundred Pesos (P2,500.00).**

ARTICLE V
GENDER-BASED SEXUAL HARASSMENT IN EDUCATION AND
TRAINING INSTITUTIONS

Section 19. 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 20. Duties of School Heads. School heads shall have the following duties:

- (a) Disseminate or post a copy of this Ordinance 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.

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SB Member

ALFREDO M. CASAS

Liga ng mga Barangay Pres.

ALYZA F. NIERRAS

SB Member

(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 21. 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 person 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 20 of this Ordinance, 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) of this section, shall upon conviction, be penalized with a fine of **Two Thousand Five Hundred Pesos (P2,500.00)**.

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 person 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 20 of this Ordinance, as provided in the penal provisions; or
- (b) Failure to act on reported acts of gender-based sexual harassment committed in the educational institution.

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**, if any, or at the discretion of the school head.

ARTICLE VI COMMON PROVISIONS

Section 24. 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 25. 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 26. Remedies and Psychological Counseling. 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 counseling services with the aid of the LGU and the MSWD, in coordination with the MHO. Any fees to be charged in the course of a victim's availing of such remedies or psychological counseling services shall be borne by the perpetrator.

Section 27. Administrative Sanctions. Above penalties are without prejudice to any administrative sanctions that may be imposed if the perpetrator is a government employee.

EUGENIO A. CHING, JR.

SB Member

NOEL G. EAMIGUEL

SB Member

JULIA E. HALICHIC

SB Member

ESTER P. LUBIANO

SB Member

LUCIA A. PALCONIT

SB Member

BENJAMIN A. CALBITAZA

SB Member

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Liga ng mga Barangay Pres.

ALYZA F. NIERRAS

SB Member

Section 28. 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 29. PNP Women and Children’s 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 30. Educational Modules and Awareness Campaigns. The MSWD Office shall take the lead in the municipal-wide campaign for the awareness of the Ordinance. 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 MSWD Office.

Section 31. Appropriations. Such amounts as may be necessary for the implementation of this Ordinance shall be authorized under the Gender and Development (GAD) Fund, as provided under **Republic Act No. 9710**, otherwise known as **"The Magna Carta of Women"** for this purpose.

Section 32. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remaining provisions not affected thereby shall remain valid and subsisting.

Section 33. Repealing Clause. Any law, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Ordinance is hereby repealed, modified, or amended accordingly.

Section 34. Effectivity. This Ordinance shall take effect after fifteen (15) days from posting, immediately upon approval of the Municipal Mayor, unless otherwise provided by the Honorable Sangguniang Panlalawigan of Leyte. The publication of this Ordinance shall take place upon approval of the Honorable Sangguniang Panlalawigan of Leyte.

Approved.

Ordinance No. 2025-005


APPROVED, this 3rd day of February, 2025 at Calubian, Leyte.


I HEREBY CERTIFY to the correctness of the foregoing Ordinance.


ATTESTED BY:


ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDHA (Secretary to the Sanggunian)

JULLIAN MARC A. BATIANCELA
Temporary Presiding Officer



EUGENIO A. CHING, JR.
SB Member



JULIA E. HALICHIC
SB Member


LUCITA A. PALCONIT
SB Member


ALYZA F. NIERRAS
SB Member

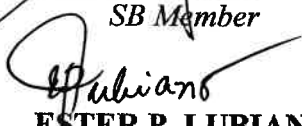

EUGENIO A. CHING, JR.
SB Member


JULIA E. HALICHIC
SB Member


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SB Member


ALYZA F. NIERRAS
SB Member


NOEL G. EAMIGUEL
SB Member


ESTER P. LUBIANO
SB Member


BENJAMIN A. CALBITAZA
SB Member


ALFREDO M. CASAS
Liga ng mga Barangay Pres.

APPROVED:

Date: 07 FEB 2025


HON. MARCIANO A. BATIANCELA, JR.
Municipal Mayor

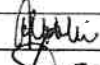
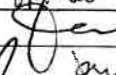
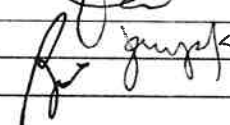
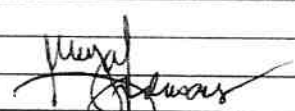


BAGONG PILIPINAS

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

ATTENDANCE SHEET
PUBLIC HEARING
CALUBIAN SPORTS COMPLEX
January 27, 2025

BARANGAY	NAME OF BRGY. SECRETARY	SIGNATURES	CONTACT NO./ FB ACCOUNT
1. ABANILLA	REMEDIO C. CABALQUINTO		09675049450
2. AGAS	MARIAN T. SANDIGAN		09067002655
3. ANISLAGAN	NIEGEL J. CATOR		09297704087
4. BUNACAN	BERNADETTE A. EVANGELISTA		09004988206
5. CABALHIN	LIEZEL B. ARANAS		
6. CABALQUINTO	WENIFREDA M. FIEL		0951-817-3207
7. CABRADILLA	JINNY ROSE A. CABRADILLA		09537093379
8. CANEJA	BELLA N. CATOR		
9. CANTONGHAO	HERBERT F. GACMAN		
10. CARUYUCAN	LORENZA R. AÑASCO		
11. CASIONGAN	JERRY T. JAMIN		
12. CRISTINA	GLORIA M. LUNZAGA		
13. DALUMPINES	ROWENA LACDAYING		09645835424
14. DON LUIS	GERALDINE OLIMPO		
15. DULAO	CARLITO S. MALIPAY		
16. EFE/UL-OG	TRINIDAD AYUBAN		
17. ENAGE	EVELYN A. ANSALE		
18. ESPINOSA	ROBERT C. LEE		095645782405
19. F.E. MARCOS	MOZELLE S. MENDOZA		
20. GARGANERA	SHELLA M. BALTAR		09368418872
21. GARRIDO	BELLA Y. MALAIT		09974062299
22. GUADALUPE	SARAHJANE D. SALUT		09750761957
23. GUTOSAN	KYLA JANE GONZALES		09563823605
24. IGANG	EDILYN D. UMPAD		
25. INALAD	ABEGAIL ELLE		09273099124
26. JUBAY	LOURDES O. RIVERA		
27. JUSON	ROWENA OROT		
28. KAWAYANAN	LENIZA D. SALUDAR		0944682389
29. K. BUGTONG	MARY ROSE L. EBRADA		09272407594
30. K. ROMUALDEZ	DONALD GENOGUIN		
31. LABTIC	SARA MAE R. MAYONO		09064432616
32. LARAY	GENELYN MARTIZO		0912-047-8467
33. M. VELOSO	NILDA D. CATOY		09292326951
34. MAHAIT	FE MARLENE C. MONTICALBO		09262865820
35. MALOBAGO	REZEL D. MADANGLOG		09091062488
36. MATAGOK	JEANELYN REDOLOZA		096316231007
37. NIPA	REBECCA E. OLIVAR		
38. OBISPO	ALLAN O. ABELLA		
39. PADOGA	EVANGELYN D. CASTILLO		09532782415
40. PAGATPAT	CRESILDA PONCE		09453322940
41. PANGPANG	NERIE B. DELA PEÑA		
42. PATAG	DELIA CAHAYAGAN		
43. PATES	ROWENA C. MOSCOSA		09677692904/0916186
44. PAULA	IRISH A. COLITA		09854193034

45. PETROLIO	CECIL C. LABTIC		09469529989
46. RAILES	ALVIN B. MONTIVES		0966-683232
47. TABLA	IMELDA LUMAPAK		09709951607
48. TAGHARIGUE	ROSEMARIE B. JURILLA		09455207690
49. T. POBLACION	JENELYN CAMARINES		
50. TUBURAN	MARJHUN ABAJON		
51. VILLAHERMOSA	MARNELLE S. SABINAY		
52. VILLALON	WILMA N. EYAO		09124857373
53. VILLANUEVA	EDNA P. DASAS		09578331725



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

ATTENDANCE SHEET
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January 27, 2025



NAME	DEPARTMENT/OFFICE	SIGNATURES	CONTACT NO./ FB ACCOUNT
1. Benjamin Capilitza	SB		0970-877-4975
2. Noel Daniguel	SB		
3. JULLIAN BASTIANCEA	SB		
4. JULIA E. HALICHIO	SB		0927-24-9095
5. EUGENIO A. CHING	SB		
6. ESTER P. LUBIANO	S.B		
7. BING LEWIS	SB		
8. Roda A. Gaturian	SB		
9. Ronald M. Acebedo	DILG		096693858
10. Ethel R. Potter	DILG STAFF		
11. ELVIS G. HONKANE	REGS. TREASURER		09765761957
12. CATHARINE PATMAN	MAN. TRNG		
13. Melinda Y. Lufarinas	n. Taghanque		0963076918
14. Fe Marlene C. Monticalbo	BRGY. MAHAI		09262861803
15. Rowena E. Moscoso	Brgy. Pata		09677692969
16. Nilda D. Catay	Brgy. M. Valera		09392326951
17. WILMA W. ELRO	BRGY. SECRETARY		09124837373
18. JENNIFER T. JIMIN	BRGY. CHAIRMAN SEC.		
19. EDGARWIN S. PEDRINA	BRGY. CHPT. CHAIRMAN		
20. Evelyn Dnsale	n. Enage, Sec.		
21. Emily Wachauer	Brgy. Treasurer		08167427814
22. Jemmylyn C. Camarines	Brgy. Poblacion / Sec.		
23. ALAN O. ABELLA	BRGY. OBISPO/SEC.		
24. REMEDIO C. CABALQUINAR	BRGY. ABUHA - SEC.		09675049450
25. SHEILA BALTAR	BRGY. GARLATERA SEC.		09368418852
26. Ariel M. Nunez	SB		
27. JOSEAN C. MENDI	SB		
28. JOSE MARIE DELIMO	SB		09630506782
29. EDDY JIMPAQUE	SB		
30. Glenn D. Doras	SB		
31. MERCAREDO S. MURRAY	SB		
32. THELMA V. CUYO	SB		
33. KATHYNA VINEZ RAMIREZ	SB		
34. LORENZA V. TIMANAK	SB		0977-364-2893
35. MA. FARIDA RESTRELA			
36. Juvic Mangapow	SB		09062356173
37. RECHELE BACALUS	SB		
38. MEA G. PEROTIAN	SB		
39. GEMMA D. VELIZ	SB		
40. JEAN ROSE L. PULGO	SB		
41. Francine Almira Batao	SB		09673178396



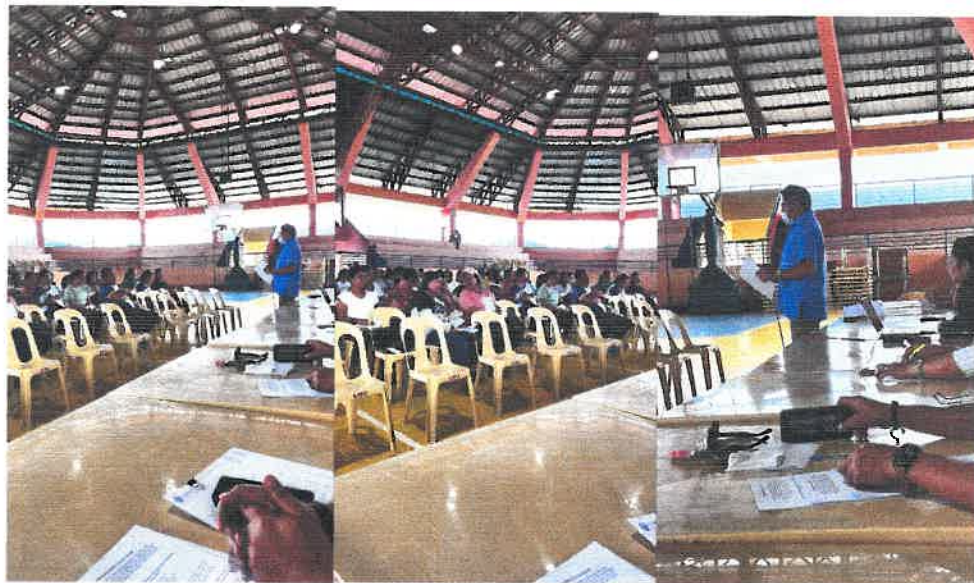
BAGONG PILIPINAS

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

ATTENDANCE SHEET
PUBLIC HEARING
CALUBIAN SPORTS COMPLEX
January 27, 2025

NAME	ADDRESS	SIGNATURE
1. ELUIS G. HADUONE	BGG GUARDHOUSE	 
2. GESE P. TORALDO	B RGY. Villapermosa	
3. Adelito C. Malingon	Don Luis	
4. CHICH 6. PACHO	AGANILLA, CAL. LEYTE	
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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

OFFICE OF THE SECRETARY
TO THE SANGGUNIANG BAYAN
sbsec0813.mgocalubian@gmail.com



CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY THAT the Municipal Ordinance No. 2025-005, entitled: "AN ORDINANCE ADOPTING REPUBLIC ACT NO. 11313, ENTITLED, "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES", OTHERWISE KNOWN AS THE "SAFE SPACES ACT" AND ITS IMPLEMENTING RULES AND REGULATIONS AND PRESCRIBING PENALTIES THEREFOR FOR LOCAL IMPLEMENTATION IN THE MUNICIPALITY OF CALUBIAN, LEYTE"" was posted on the Bulletin Board of the Sangguniang Bayan on March 21, 2025 and other conspicuous places in the Municipality of Calubian, Leyte, and it will remain posted therein for three (3) consecutive weeks.

THIS CERTIFICATION is issued in compliance with ARTICLE 114 of the Implementing Rules and Regulations of Regulations of Republic Act No. 7160.

ISSUED the 21st day of March, 2025 at the Municipality of Calubian, Leyte.

Very truly yours,

ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDHA (Secretary to the Sanggunian)