



Republic of the Philippines  
CARAGA Region XIII  
Province of Surigao del Norte  
**Municipality of San Benito**



## Office of the 10<sup>th</sup> Sangguniang Bayan

AN EXCERPT FROM THE MINUTES OF THE 39<sup>TH</sup> REGULAR SESSION OF THE 10<sup>TH</sup> SANGGUNIANG BAYAN MEMBERS OF THE MUNICIPALITY OF SAN BENITO, SURIGAO DEL NORTE HELD AT SANGGUNIANG BAYAN SESSION HALL ON NOVEMBER 13, 2023 AT EXACTLY 9:00 O' CLOCK IN THE MORNING

### PRESENT:

Hon. Wellybel A. Requirme  
Hon. Cindy R. Agati  
Hon. Puyat P. Sumando  
Hon. Charlito E. Mendavia  
Hon. Aldrein C. Glimane  
Hon. Delfin P. Labola  
Hon. William A. Polican  
Hon. Jayrom P. Caballejos

Municipal Vice Mayor / Presiding Officer  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member  
Sangguniang Bayan Member

### ABSENT:

Hon. Felix B. Sumando Sr.  
Hon. Ruella T. Rulete  
Hon. Delcy Rose S. Plandano

Sangguniang Bayan Member  
LNMB President / On Travel  
SKF President /Ex-Officio

## MUNICIPAL ORDINANCE NO. 143-23 Series of 2023

**“AN ORDINANCE ENACTING THE GENDER AND DEVELOPMENT CODE OF THE MUNICIPALITY OF SAN BENITO, SIARGAO ISLAND, SURIGAO DEL NORTE AND FOR OTHER PURPOSES THEREOF”**

(Sponsor: Sangguniang Bayan Member Cindy R. Agati)

**BE IT ENACTED**, by the Sangguniang Bayan of San Benito, Siargao Island, Surigao del Norte in session assembled, that:

## CHAPTER I – MAIN PROVISIONS

### ARTICLE I

#### TITLE, STATEMENT OF POLICY AND DEFINITION OF TERMS

**SECTION 1. Title.** This ordinance shall be known as the “*Gender and Development Code of San Benito, Siargao Island, Surigao del Norte*” hereinafter referred to as the **Code**.

**SECTION 2. Statement of Policy.** The Code is an indelible blueprint - a concrete manifestation of the Municipal Government's strong adherence to the time-honored democratic tenet that men and women in a civil society are equal. This significant initiative is aimed at mainstreaming women's concern, ensure the fundamental equality before the Law of men and women, open a wider arena for their active participatory role in the development process, and provide women rights and opportunities equal to that of men.

Moreover, this Code is not only substantially supported by legal basis. It is likewise backed up by biblical and moral basis. The Book of Genesis says that God created woman not from the head of man so as not to prevail upon him, neither from the feet so as not to be subordinated by him, but from one of the ribs so as to be equal with him. The moral basis of this Code is those defined and declared by 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 in the political processes of their communities and nations.
- c. Women have the right to the means for assuring their economic welfare and security.
- d. Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice, according to their beliefs and preferences.
- e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.
- f. Women have the right to an adequate, relevant and gender fair education throughout their lives, from childhood to adulthood.
- g. Women have the right to adequate nutrition and proper health care.
- h. Women have the right to humane living conditions.
- i. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.
- j. Women have the right to equality before the law in principle as well as in practice.

However, it is unfortunate that as of the moment a macho image in our society still exists as it continues to view women as the "weaker sex". Men are traditionally the heads of households and in most organizations. Aside from ramp modeling and beauty contest, women today do not share the power and prestige, status and societal positions as men. They rather play supportive roles to men and tend to yield to the idea that major decisions are male prerogatives. Oftentimes, women are exploited in media commercials impressing upon the public that without their attractive and pleasing fixtures, products would be less appealing. But in reality, women should not be viewed as second class to men but as partners of men in the development.

In the light of these historical gender biases, inequalities and inequities, this piece of local legislation will provide the Municipal Government a policy direction to formulate program and strategies, among others, that will:



1. Mainstream gender concerns in sectoral development plan, policies and programs;
2. Intensify awareness campaign on gender issues and concerns;
3. Strengthen GO-PO-NGO partnership to maximize the effectiveness of programs and services addressing Gender and Development (GAD) concerns;
4. Encourage, support and expand the participation of grassroots women in the planning, implementation, monitoring and evaluation of development programs and projects;
5. Recommend appropriate curricula at all academic levels that are gender sensitive;
6. Provide gender-responsive relief and rehabilitation programs with special focus on women and children's needs;
7. Involve men in family-planning programs, health and child care and nutrition concerns and engage them in projects that enhance the well-being of the family;
8. Set up a crises intervention centers and shelters in the Municipality of San Benito, Surigao del Norte for survivors of violence against women and children and other social conflicts;
9. Promote gender sensitivity in local media and advertising agencies;
10. Increase the members of women decision and policy-making post in locality through implementation of capability building programs, and/or;
11. Establish the necessary mechanism to enable indigenous women to participate in development programs and gain access to non-traditional sources of livelihood, credit financing, productive skills and labor-saving technologies.

**SECTION 3. Definition of Terms.** The following terms or phrases used in this Code shall mean as follows:

1. **Battering** – a series of physical, emotional and psychological abuse. It is a repeated and habitual cyclic pattern as means of intimidation and imposition of the batterer's will and control over the survivor's life. (Marsali Hamsen & Michael Harway, 1993)

It constitutes the following kinds of battering behavior:

- a. **Sexual battering-** this includes physical attacks on the women's breast/genital or forced sexual activity, accompanied by either physical violence or the threat of physical violence;
- b. **Psychological battering-** this includes threats of suicide, violence against the woman or her family, punching holes in walls, threatening to take the children away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to a foreign country and forcing the victim to do degrading things. It may also include controlling the victim's lawful or usual activities, the use of foul words or statement and threats or abandonment and expulsion (forcing the wives to leave the conjugal dwelling). The provision shall likewise apply to common-law relations but does not include adulterous ones as contemplated in the Revised Penal Code;

- c. **Economic battering**- this includes deprivation of women of economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination;
  - d. **Premeditated and intentional destruction of property and pets usually the victim's favorite.**
2. **Benefit Dance/Disco**- refers to a dance in the locality where women are co modified for fund raising purposes.
  3. **Collateral Relatives**- next of kin who are not in the direct line or inheritance, such as cousin.
  4. **Co-modification of Women**- is a practice which puts women in a subordinated situation which results in the treatment of women as both consumers and objects of consumption. 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.
  5. **Differently-abled Persons** – are survivors of physical impairments that have differentiated needs and potentials.
  6. **Discrimination Against Women**- any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status.
  7. **Feminization of Poverty**- 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 needs of grassroots women.
  8. **Fund Raising Initiatives**- refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing of movies, or any similar fund-raising undertakings where women are used as donor prize, substitute for cash prizes won, a companion package for an award, prize, or recognition, or any manner, activity, come-on display, or exhibit which depicts a woman as central, partial, or special focus in order to raise funds.
  9. **Gender**- set of characteristics, roles, expectations attributed to women and men by society.
  10. **Gender and Development (GAD)** - shall refer to the development perspective that recognizes the equal contribution of women and men in all aspect/sectors of development. Such a perspective involves the process of searching for new and innovative initiatives which help transform unequal gender relations into opportunities which equally/equitably (benefit) both men and women.
  11. **Gender Equality** - is the role required or expected of women and men as prescribed by society.
  12. **Gender Mainstreaming** - strategy of integrating gender and development concerns and issues at all levels of government undertaking
  13. **Gender Perspective** - way of viewing issues and problems that take into consideration the different realities of women's and men's lives, and recognizing that there is an unequal relationship between the two.
  14. **Gender Sensitive** - having an understanding of the marginalized position of women and consciously challenging the attitudes and behavior that reinforce women's subordinate status.



15. **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.
16. **Indecent Shows**- are shows, which include nude or other provocative gestures that further project and exhibit men and women as sex objects.
17. **Indigenous People** - a group of people who have continuously lived as organized community or communally bounded and defined territory, and who have under claims of ownership since time immemorial, occupied, possessed and utilized such territories sharing common bonds of language, customs, traditions and other distinctive cultural traits. They are regarded as indigenous on account of their descent from the populations who inhabited the country, at the time of conquest of colonization and who retain some or all of their own social, economic, cultural and political domains or who may have resettled outside their ancestral domain.
18. **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.
19. **Minors** - refer to person 18 years of age or below and unable to fully take care of themselves from abuse, neglect, cruelty, exploitation or discrimination.
20. **Other Places of Amusement** - include all other places of amusement not specifically enumerated or otherwise provided for in this Code, including but not limited to night clubs or day clubs, cocktail lounges, super or family clubs, disco houses, minus-one or sing along houses, bars or beer houses/garden, fast food centers showing sports competitions replay shows by direct hook up via satellite or those showing video cassette films/ movies, and other places of amusement where one seeks admission to entertain himself whether by seeing or viewing or by direct participation.
21. **Places of Amusement** - include 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.
22. **Pornography** - written, graphic or other forms of communications intended to excite lascivious feelings (The Grolier International Dictionary, Vol. 2)
23. **Prostitution** - is the sale, purchase and exchange of women and minors for sexual exploitation cash profit or other economic considerations by an individual, including but not limited to the pimp, procurer of the service, parents, owners of establishments, such as disco, bars, sauna bath, massage clinics, hotels and restaurants, and any other person who use various schemes to prostitute women and minors.
24. **Psychological Program** - an intervention using a system approach to condition of women as it views women's differentiated needs in a social context.
25. **Reproductive Health** - as defined in the International Conference on Population and Development and World Health Organization, and affirmed in 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 function and process. It constitutes 10 elements, namely:

➤ Maternal & Child Health, and Nutrition;

- Family Planning;
- Prevention and treatment of Reproductive Tract Infection (RTIs) including STDs, HIV and AIDS;
- Prevention and Management of Abortion complications;
- Education and Counseling on Sexuality and Sexual Health;
- Breast and Reproductive Tract Cancers & other Gynecological Conditions;
- Prevention and treatment of infertility and Sexual Disorders;
- Men's Reproductive Health;
- Adolescent Reproductive Health; and
- Violence Against Women.

26. **Sexual Harassment** - is a form of misconduct involving an act or a series of unwelcome sexual advances, request for sexual favors, or other verbal or physical behavior of a sexual nature, made directly, indirectly or implied.

27. **Sexuality** - is one's total expression of personhood on the basis of self-appreciation (body, mind and feeling) and satisfaction of needs. Also considered as physical expression of intimate relationship with other through various life stages.

28. **Sex Trafficking** - is a hiding or in public recruitment of men, women and children into the sex trade industry. It includes new forms of sexual exploitation such as tourism, the recruitment of domestic labor to work in developed countries and foreign nationals. It is then considered as a system in which men, women and children are movable properties and objects of exchanges.

29. **Violence Against Women** - any act of gender- biased violence that result in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

30. **Violence against women shall include, but not be limited to:**

- a. Close relationships, including battering, sexual abuse of female children in the Physical, sexual and psychological violence occurring in the family and other house hold, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non- spousal violence and violence related to exploitation.
- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in education institution and elsewhere, trafficking women and forced prostitution.
- c. Physical, sexual and psychological violence perpetuated or condoned by the state, wherever it occurs.
- d. Other acts of violence against women include:
  - Violence of human rights of women in situation of armed-conflict, in particular murder, systematic rape, sexual slavery and forced pregnancy.
  - Forced sterilization and forced abortion, coercive/forced use of contraceptives, prenatal sex selection and female infanticide.
  - Feminization of poverty.



31. **Women as Sex Objects** - A condition when women became things or properties to be manipulated, utilized or used for one's sexual desire or interest, usually in exchange of money or goods where women have no control or power to reject such utilization or use.

## **ARTICLE II**

### **GENDER AND DEVELOPMENT PROGRAM**

**SECTION 4. Gender Sensitivity Orientation and Training.** All schools, offices, establishments and agencies within the Municipality of San Benito, Surigao del Norte shall be provided with gender sensitivity orientation and training to equip them with theoretical and practical knowledge on gender issues and concerns.

**SECTION 5. Support to Gender Studies.** A sufficient amount shall be allotted to gender-related documentation and researches, which shall form part of the San Benito, data-based program development.

**SECTION 6. Popularization of Gender-Fair Materials.** There shall be an active promotion and publication of gender-fair materials in popular form in the Municipality of San Benito, Surigao del Norte.

**SECTION 7. Integrated Gender-Sensitive and Environment Friendly Zonification Plan.** An Integrated Gender-Sensitive and Environment-Friendly Zonification Plan of San Benito, Surigao del Norte shall be established taking into consideration, among others, the following:

- a. relocation of communities shall not deprive anyone of their sources of livelihood;
- b. relocation sites shall not contribute to an increase in anyone's burden in economic, home and social production;
- c. housing and industrial project sites shall be those unproductive lands unsuitable for agriculture purposes.

**SECTION 8. Community based Environment Plans and Programs.** Both men and women shall participate in pollution control, zero-waste technology development and management, preservation of the forest, marine and aquatic resources and indigenous reforestation with due respect for the indigenous people and Muslim culture and rights to self-determination.

**SECTION 9. Gender-Sensitive Natural Resource-based Management Programs.** The Municipal Government shall engage itself in the development of gender-sensitive natural resource-based management programs.

**SECTION 10. Role of Women in Environment Impact Assessment Project.** The Municipal Government shall promote the active role of women in environmental impact assessment projects.

**SECTION 11. Promotion of alternative Technology.** The Municipal Government shall actively promote an alternative technology that is appropriate and safe for everybody's well being.

**SECTION 12. Sufficient Budget for Basic Social Services.** An amount necessary to underwrite the basic social services for all in extremely difficult circumstances shall be allocated from any available source of funds.

**SECTION 13. Investment and Loans.** The Municipal Government, through the Gender Multi-Sectoral Coordinating Council, shall conduct consultative assemblies to all POs, GOs and NGOs in

establishing contracts for loans and investment to clarify implications on people's welfare and development at the barangay level.

**SECTION 14. Education on National Policies.** Women and men shall undertake education on national policies and their implications on women and family.

**SECTION 15. Special Training for Lupong Tagapamayapa.** A special para-legal training for Lupong Tagapamayapa shall be conducted along gender questions and related matters.

**SECTION 16. Training on Non-Traditional Occupation.** Women shall be given opportunity to acquire training on non-traditional occupation such as those related to science and technologies.

### **ARTICLE III SUPPORT SERVICES**

**SECTION 17. Support to Women-Survivors of Violence.** The Municipal Government of San Benito, Surigao del Norte shall provide necessary support to women-survivors of violence.

**SECTION 18. Women and Children's Desk (WCD).** The Municipal Government of San Benito, Surigao del Norte, through the Municipal Police Office, shall establish and maintain the WCD preferably handled by Women Police Officers duly trained by GAD personnel. The San Benito Municipal Police Station shall have WCD to specifically handle concerns of women and children. The Municipal Police Station of San Benito, Surigao del Norte shall have separate WCD room within the station.

**SECTION 19. Role of Female Police Officers.** Complaints on battering and other forms of abuse against women and children shall be handled by female officers in the local police force whose character and credibility do not violate the accepted ethical standards in handling such cases.

**SECTION 20. Programs for Survivors of Violence.** Women and children who were survivors of all forms of violence shall be registered in the psychological program which shall be carried out by the Municipal Social Services Office (MSSO) and Municipal Health Office (MHO).

**SECTION 21. Court Hearing of Rape Cases, Incest and other Forms of Violence Against Women and Children.** All investigations/hearings 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.

**SECTION 22. The Family Disputes and Violence Committee.** All Barangay Governments in the Municipality shall create the Family Disputes and Violence Committee to handle cases on family disputes together with the Lupong Tagapamayapa.

**SECTION 23. Women and Children's Welfare.** The Women and Children's Welfare is hereby established under the Municipal Social Services Office (MSSO) to enter problems and concerns of depressed families especially those affected by natural and man-made calamities.

**SECTION 24. Crises Intervention Center.** A Crisis Intervention Center is hereby established to serve as a temporary shelter with appropriate support services for women and children in crisis under the management and supervision of the Municipal Social Services Office (MSSO).

**SECTION 25. Gender Multi-Sectoral Coordinating Council.** A Gender Multi-Sectoral Coordinating Council shall be created within 60 days after the effectivity of this Code by the



Municipal Government of San Benito, Surigao del Norte, composed of duly accredited NGOs, POs, and GOs that shall serve as the coordinating and advisory body of the Municipal Government in designing programs geared towards gender and youth development, promotion and protection of ecological balance and shall be formally and regularly consulted on peace and development issues on the basis of social equity and justice.

**SECTION 26. Inter-Agency Council Against Gender Trafficking.** An Inter-Agency Council against gender trafficking shall be established in San Benito, Surigao del Norte with the following powers and functions:

- a. formulate a comprehensive program to suppress the trafficking of men, women and children;
- b. conduct massive information campaigns;
- c. undertake guidance and counseling for women going abroad as fiancées of foreign nationals;
- d. make representations to schools and universities for the inclusion of migration and its implications for all levels of curricula;
- e. refer traffic survivors to appropriate agencies;
- f. formulate a program for returning survivors in cooperation with local offices of DTI, DOLE, TESDA and other government agencies involved in training and livelihood development;
- g. secure assistance from any local government units including the Provincial Government of Surigao del Norte, departments and bureaus of the National Government;
- h. exercise other powers and functions necessary to attain its purposes and objectives.

## **ARTICLE IV POLITICAL AND PUBLIC SPHERE OF WOMEN AND CHILDREN**

**SECTION 27. Declaration of March 8 as a WOMEN'S Day.** As declared by the United Nations, March 8 shall be observed as Women's Day through an issuance of an Executive Order by the Provincial Governor. There shall be a municipal-level set of activities for women to increase their level of awareness and critical consciousness on the issues affecting them.

**SECTION 28. Women's Summit.** A Women's Summit shall be held at least once every year which shall be convened and managed by the Gender Multi-Sectoral Coordinating Council.

**SECTION 29. International Day of Action for Women's Health.** The Municipal Government of San Benito, Siargao Island, Surigao del Norte shall cause the celebration of the International Day of Action for Women's Health every year where issues and concerns relative to the protection and promotion of women's health shall be examined, deliberated, projected and government action sought.

**SECTION 30. Barangay Level Self-Organization of Women.** Self-organization of women shall be recognized at the barangay-level to include organizations of young women.

**SECTION 31. Creation of Municipal Council for Women.** A council for women shall be organized at the municipality from among the barangay level women organizations existing in the municipality.

Women organizations with mass membership at the community level shall likewise be represented at the Council for Women. Women groups in schools, offices, whether GO, PO, or NGO shall be represented in the Council as a cluster.

**SECTION 32. Representation of Women in Local Special Bodies.** The Municipal Government of San Benito, Surigao del Norte shall ensure that women are duly represented in the Municipal Development Council and all local special bodies of this municipality including barangay level to strengthen government recognition of women's potentials in the formulation and planning of local development programs.

**SECTION 33. National Children's Month.** Pursuant to Proclamation No. 267, dated September 03, 1993, the Municipality of San Benito, Surigao del Norte shall observe the month of October as National Children's Month and undertake projects in the observance therefore.

**SECTION 34. Integrated Development Program for Women.** The Municipal Government of San Benito, Surigao del Norte, through the Gender Multi-Sectoral Coordinating Council and the concerned sectors, shall develop a program that shall facilitate empowerment of women. Active support for the preservation of women's knowledge of the environment shall be incorporated in the program.

## **ARTICLE V LABOR AND EMPLOYMENT**

**SECTION 35. Equal Access to Employment, Training and Promotion.** No one shall be denied of employment opportunity on account of gender, age, ethnicity, creed, religion and civil status as prescribed in the labor Code, as amended by RA 6725. Likewise, no one shall be denied of training and promotion in employment.

**SECTION 36. Wage and Benefits.** Every employer shall comply with the minimum wage as prescribed by the Regional Wage Board and shall grant all benefits to all employees such as maternity/paternity leave, sick and vacation leave, retirement, termination and other benefits provided by law.

**SECTION 37. Facilities and Support System For all Employees.** The Municipal Government of San Benito, Surigao del Norte shall ensure the safety and health of women employees. In appropriate cases, employers may;

- a. establish separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing room for women.
- b. Establish Homecare Center in the workplace to temporarily cater breastfeeding, child rearing and early childhood care for working parents while on their respective job.

**SECTION 38. Orientation on Sexual Harassment.** All local offices, schools, agencies and establishments found in San Benito, Surigao del Norte shall conduct or sponsor orientation on sexual harassment to their respective personnel.

**SECTION 39. Setting- up of Grievance Machinery.** A grievance committee shall be set up in all local offices, agencies, establishments or companies to act on complaints related to sexual harassment. For this purpose, a grievance procedure must be installed in every agency, office or establishment.

**SECTION 40. Gender-Sensitive Physical Plan.** A physical plan appropriate for a gender-sensitive environment shall be adopted by all offices, agencies and establishments found in this



municipality which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the workplaces.

**SECTION 41. Monitoring System for Labor Standards.** A mechanism for a gender-sensitive policies shall be installed in the (Municipal Social Services Office) to monitor all offices, agencies and establishment or companies violating the Labor Code, the provisions of this Code and existing laws.

**SECTION 42. Employment Assistance Program.** The Municipal Government, in cooperation with the Department of Labor and Employment, shall endeavor to assist poor students, the unemployed and the underemployed in securing gainful employment.

**SECTION 43. Barangay- Based Registration of House helpers.** All Barangay Governments in San Benito, shall come up with an annual survey of domestic helpers in their barangays to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment. Households shall be required to enlist their house helpers for identification and for other purposes. Employers must provide their house helpers recreation / day-off at terms and conditions mutually agreed by parties concerned.

## **ARTICLE VI HEALTH RIGHT**

**SECTION 44. Budget for Women's Health.** An amount as maybe necessary shall be set aside in the annual budget of the Municipal Government for women's health and nutrition services.

**SECTION 45. Upgrading of Health Care Delivery System.** Quality health care band services that are not discriminatory on account of their gender, age, sex, creed, religion and ethnicity shall be implemented.

**SECTION 46. Reproductive Health Care Delivery.** The Municipal Government shall adopt the reproductive health (RH) care approach at all levels of health care delivery. Such approach integrates many issues not previously considered central to population. Sexuality, reproductive tract infection, gender power relations and domestic violence and shall not limit to family planning and child bearing.

**SECTION 47. Women's Right Over Their Bodies.** Women's decision to prevent and control pregnancy without necessarily resulting to abortion shall be given appropriate support and guidance by all health professionals, private and public at very minimal cost.

**SECTION 48. Gender- Sensitive Crisis Intervention Unit.** The Municipal Government of San Benito, Surigao del Norte shall cause the establishment of a Gender- Sensitive Crisis Intervention Unit at all levels of health care, primary, secondary, and tertiary and shall provide service trainings to all health and other allied personnel who shall be assigned in this unit.

**SECTION 49. Primary Health Care Delivery.** In consonance with the Department of Health's thrust, the Municipal Government of San Benito, Surigao del Norte shall strengthen the Primary Health Care Delivery in the context of reproductive health.

**SECTION 50. Protection Against Drug Abuse.** A special Task Force shall be created and sustained by the Municipal Mayor for the protection against drug abuse and proliferation of illicit drugs in the Municipality.

**SECTION 51. Access to Safe Water.** All barangays in the Municipality shall provide easy access to safe water supply. Appropriate water system shall be installed, if possible right at their tap, to ease women's workload as well as minimize women and children fetching water for household use.

## ARTICLE VII EDUCATION RIGHT

**SECTION 52. Weekend Classes.** In cooperation with the DepED Non-Formal Education and Alternative Learning System (ALS) classes for all shall be held in identified schools in the Municipality to facilitate working persons access to education.

**SECTION 53. Promotion of Gender-Sensitive Curricula.** The schools and other concerned agencies within the Municipality of San Benito, Surigao del Norte shall promote gender-sensitive counseling and career education programs to encourage anyone to pursue academic and technical courses to widen their career opportunities.

**SECTION 54. Adult Education.** Anyone desiring to engage in functional and practical education shall be enlisted in adult education program.

**SECTION 55. Monitoring and Reporting of Stereotyped Portrayal of Roles of Women and Men in Education Materials.** The Municipal Social Services Office shall coordinate closely with the DepEd-Siargao Division in monitoring and reporting of stereotyped portrayal of roles of women and men as projected in education materials.

**SECTION 56. Scholarship Program.** The Municipal Government shall institutionalize its scholarship program for the poor but deserving students.

**SECTION 57. Sex Education.** Sex Education for the pre-puberty ages shall be introduced in the right way, at the right place and by the right people. Understanding human sexuality is an intimate and personal matter not only of parents but also other concerned institution that have the competence to carry out such obligation of molding their children in the context of Godly Life and Love.

## ARTICLE VIII SOCIO-ECONOMIC BENEFITS FOR WOMEN

**SECTION 58. Capital Assistance for Women.** All Local Government departments and agencies engaged in socio—economic programs shall increase their capital assistance and / or subsidy to women especially on land-based projects using community bank approach.

## ARTICLE IX RURAL WOMEN'S RIGHTS

**SECTION 59. Land for Women-headed Households and Landless Families.** Idle lands shall be distributed to qualified women-headed household and landless families interested and committed to till the land upon execution of a memorandum of agreement between the parties concerned. Ownership of such land shall be granted to women-headed households and landless families after ten year of continuous tillage. Support services shall be delivered by the Municipal Government and other agencies as part of the Memorandum of Agreement.

**SECTION 60. Promotion of Land- Based Projects.** The Municipal Government shall promote and support land-based projects ensuring food for rural women utilizing science, women-friendly and appropriate technology instilling collectivism.



**SECTION 61. Access to Science and Women – Friendly Alternatives Technology Education.** The Municipal Agriculture Office, in cooperation with the Department of Science & Technology shall establish a science and women friendly alternative technology center for rural women.

## **ARTICLE X SPECIAL GROUP OF CITIZENS**

**SECTION 62. Advocacy on Differently –Able Person’s Right.** Active advocacy on the rights of differently-abled persons shall be conducted by the Municipal Social Services Office (MSSO).

**SECTION 63. Creative Employment Opportunities for Differently – Able Persons.** The Municipal Government shall develop creative employment opportunities for differently – abled persons recognizing their differentiated conditions and full potentials as human beings.

**SECTION 64. Reporting of Cases of Harassment Committed Against Differently Persons.** The Municipal Government, through its Municipal Social Service Office shall require all barangay governments to monitor and report cases of harassment committed against differently – abled persons.

**SECTION 65. Support to Persons in Detention.** Rights of all detainees shall be protected a.) Speedy trial of their cases shall be ensured by all concerned; b.) An appropriate program shall be designed to respond to their specific needs and problems as detainees; c.) Separate structure and space for detention and rehabilitation shall be established.

## **ARTICLE XI CHILDREN SUPPORT SYSTEM**

**SECTION 66. Daycare Centers.** The Municipal Government of San Benito, Surigao del Norte shall ensure that Day Care Centers are set up in every barangay.

**SECTION 67. Parental Authority.** The father and mother shall jointly exercise parental authority over the persons of their common children. In case of disagreement, the father’s decision shall prevail unless there is judicial order to the contrary.

## **CHAPTER II - MISCELLANEOUS AND PENAL PROVISIONS**

### **ARTICLE I VIOLENCE AGAINST WOMEN AND CHILDREN**

**SECTION 68. Sex Trafficking.** It is unlawful

- a. For any person, association, cult, religion or organization or similar entities to commit the following acts:
  - Establish or carry on a business for the purpose of exploiting women for purposes of sex, sex slavery, sex trade, sex tours and other immoral activities.
  - Advertise, publish, print or distribute, or cause the advertisement publication, printing or distribution of any brochure, flyer or propaganda material circulated to promote the above-mentioned prohibited acts.
  - Solicit, enlist, or attract/induce any women to join any club association or organization whose objective is to match women for marriage to foreigners either on mail-order basis or through personal introduction or cyberspace.
  - Use the postal service, cyberspace or satellite TV to promote the above-mentioned prohibited acts.
- b. To buy or sell a woman, or any of her body parts.
- c. To act as procurer of sex worker
- d. To threaten or use the violence and force of a woman to become a mail –order bride

Penalty for the commission of these acts shall be dependent on the prevailing pertinent laws and regulations.

**SECTION 69. Other Forms of Trafficking in Women.** Any person or agency who encourages, influences or recruits a woman to work abroad or locally for a particular job on a promise of a fee, instead, forced and deceived to engage in prostitution, domestic help or other odd jobs shall be penalized by an imprisonment of one year or a fine of P 2,500.00, or both, at the discretion of the court. Persons liable thereof may also be prosecuted and penalized in accordance with RA 6955, an act which outlaws the practice of matching Filipino women for marriage to foreign nationals on mail-order basis.

## **ARTICLE II**

### **RAPE**

**SECTION 70. When and How rape is Committed.** Rape is committed by having carnal knowledge of a woman under any of the following circumstances:

1. By using force or intimidation
2. When the woman is deprived of reason or otherwise unconscious; and
3. When the woman is under twelve years of age or is demented. [Article 335, Revised Penal Code as amended by Republic Act No. 7659]

**SECTION 71. Penalty for the Crime of Rape.** Republic Act No. 7659 provides that the crime of rape shall be punished by reclusion perpetua.

However, the penalty of death shall be imposed if the crime of rape is committed with any of the following attendant circumstances:



1. When by reason or on the occasion of the rape, the victim has become insane;
2. When by reason or on the occasion of the rape, a homicide is committed;
3. When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent of the victim;
4. When the victim is under the custody of the police or military authorities;
5. When the rape is committed in full view of the husband, parent any of the children of other relatives within the third degree of consanguinity;
6. When the victim is a religious or a child below seven (7) years old;
7. When the offender knows that he is affected with Acquired Immune Deficiency Syndrome (AIDS) disease;
8. When committed by any member of the Armed Forces of the Philippines or the Philippine National Police or any law enforcement agency;
9. When by reason or on the occasion of the rape, the victim has suffered permanent physical mutilation.

**SECTION 72. Rape in Intimate Relations.** Intimate or marital relation shall not be a legal impediment to any complaint against act of rape as provided in Section 81 of this Article. Further, marital relationship shall not serve as a legal impediment to the prosecution of rape where:

1. spouses are legally separated; or
2. there is separation in fact for at least six months.

**SECTION 73. Pardon and/or Marriage of the Offended Party with the Offender.** The marriage of the offender with the offended party shall extinguish the criminal action or remit the penalty already imposed upon him. The provision of this paragraph shall also be applicable to the co-principals, accomplices and accessories after the fact of the crime of rape.

**SECTION 74. Who May File Complaint.** Complaint for rape may be filed by any of the following persons:

- a. the offended party;
- b. his/her parents or legal guardian
- c. his/her grandparents or collateral relatives;
- d. the officer or social worker of the DSWD, or of a duly-licensed child-caring institution, orphanage, home for the aged, mental hospital or other similar institutions whose care or custody the offended party is committed; and
- e. a concerned, responsible resident of the barangay where the crime was committed, but only if any of the persons mentioned have expressly given their consent.

**SECTION 75. Support from Law Enforcer.** The law enforcer, preferably of the same sex or his/her authorized alternate as the offended party, upon receipt of a complaint for rape, shall:

- a. immediately conduct an investigation within 24 hours;
- b. arrange for counseling and medical services for the offended party;
- c. gather evidence for the arrest and prosecution of the offender;
- d. make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within 36 hours from time of filing, regardless of his/her evaluation of the case.

**SECTION 76. Investigation/Examination of Rape Survivors.** It shall be the duty of the investigating office of the examining physician, to ensure that only persons expressly authorized by the examining physician and/or the rape survivor are allowed inside the room where the investigation or medical or physical examination is being conducted. The Chief Of Police of San Benito municipal Police Station must provide private room for the investigation of such cases.

**SECTION 77. Suspension of Government Official or Employee.** The following steps shall be undertaken against government official or employee charged of rape:

- a. the immediate preventive suspension for a period of sixty (60) days may be imposed upon any official or employee charged of rape, provided that a verified complaint had been filed therefore; and
- b. the duty of the superior officer of respondent public official or employee to facilitate the free, speedy, and objective investigation of the complaint, and to ensure the protection of the complaint.

Any official having authority, influences or moral ascendancy over another person charged of rape shall be fined PhP. 5, 000.00 for non-compliance of this provision.

**SECTION 78. Protective Measures.** At any stage of the preliminary examination or investigation, prosecution and trial of a complaint for rape the following protective measure shall be observed:

1. the right to a closed-door hearing unless expressly waived by the offended party;
2. the right of a social support group to witness hearing as expressly allowed or requested by the offended party;
3. non- disclosure of the name and personal circumstances of the offended party, or any information tending to establish his or her identity;
4. any other analogous measures that will ensure the protection of the identity of the offended party and his or his family from undue and sensationalized publicity.



### ARTICLE III SEXUAL HARASSMENT

**SECTION 79. Prohibition of Printing, Publication, Display and Distribution of pornographic Scenes on movie/TV, Trailers/Shows, Posters, Billboards and other Materials and Similar Literature.** Printing, publication, display and distribution of pornographic scenes on movie/TV, trailers/shows, posters, billboards, literature and other visual materials which treat women as sex objects and commodities shall be prohibited. Violation of this pursuant to Presidential Decree 960 and 969 provisions is subject to a penalty of one year imprisonment or a fine of Php. 2,500.00 or both and for a juridical entity, cancellation of business permit and a fine of Php. 2,500.00.

**SECTION 80. Pornographic and Indecent Shows.** Any person or agency which engages in shows depicting men and women as sex object in private or public place or under scandalous circumstances shall be prosecuted under the Revised Penal code, particularly under PD 969 or other appropriate law.

**SECTION 81. Live shows.** It shall be unlawful to influences or force a woman to dance or do naked shows in public or private places for commercial or entertainment purposes. A penalty of one-year imprisonment and a fine of PhP. 2, 500.00 shall be imposed.

**SECTION 82. Selling, Renting/Lending Pornographic Materials.** It shall be unlawful to sell or lend pornographic materials. Violators shall pay a fine of PhP. 2, 500.00 and a imprisonment for six months plus confiscation and burning of pornographic materials.

**SECTION 83. Sexual Harassment.** Sexual harassment shall be unlawful in the employment, education or training environment as prescribed in RA 7877, otherwise known as the Anti-Sexual Harassment Act of 1995 and other complains shall be filed with the proper Court in accordance with the provisions of this Code.

**SECTION 84. Other Forms of Sexual Harassment.** Other than the definition provided by RA 7877, otherwise known as the Anti-Sexual Harassment Act of 1995, the following constitute sexual harassment;

1. persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive or humiliating;
2. provoking sarcastic language to a person with constant talk about sex and sexual innuendoes;
3. displaying offensive or lewd pictures and publications in the workplace;
4. interrogating someone about their sexual activities or private life, except on medical or physical examination purposes;
5. making offensive hand or body gestures at someone;
6. repeated asking for dates despite verbal rejection;
7. staring or leering maliciously;
8. touching, pinching or brushing up against someone's body unnecessarily or deliberately;
9. kissing or embracing someone against their will;

10. requesting sexual favors in exchange for a good grade, obtaining a good job, promotion;
11. cursing, whistling or calling a woman in public with words having dirty connotations or implications which ridicule, humiliate or embarrass the woman such as “puta”, “buring”, “peste”, “igat”, Puñeta”, etc.;
12. any other unnecessary acts during physical examinations;
13. requiring women to wear suggestive or provocative attire during interviews such as on job hiring, promotion.

Commission of one of these acts shall be subjected to an imprisonment of one week to six months or a fine of PhP. 1, 000.00 to PhP. 2, 000.00 or both, at the discretion of the court.

**SECTION 85. Fund Raising Initiatives.** All fund-raising initiatives, whether in whole or in part, integrated in any raffle, draw, benefit or disco dance, premier showing of movies, or any similar fund-raising undertakings where women are used as donor prize, substitute for prizes won, a companion package for an award, prize, or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds shall be strictly prohibited. Violators of this provision shall pay a fine of PhP. 2,500.00 or imprisonment of six months, or both, at the discretion of the court.

**SECTION 86. Husband and Wife Battering.** Husband and Wife battering shall be punishable from one month to one year imprisonment, or a fine of PhP. 1,000.00 to PhP. 2,500.00 or both, at the discretion of the Court. Other forms of battering as defined in this code shall be covered by the same penalty.

**SECTION 87. Persons in Armed Conflict Situation.** a.) No person shall be deprived of basic social services in armed conflict areas. b.) No one shall be kept by any peace and order personnel in military detachment/police checkpoint or any analogous for purposes of company. Violators shall be prosecuted in accordance with the Revised Penal Code.

**SECTION 88. Forced Marriage.** No shall be forced to marry when he/she is not ready to assume responsibilities borne out such marriage. Any person or agency committing fraudulent or coercive act to cause and effect a forced marriage shall be held liable under this Code by a fine of PhP. 2,500.00, or an imprisonment of one year, or both, at the discretion of the Court. However, the customs and traditions of the indigenous peoples shall be taken into consideration and duly respected.

**SECTION 89. Conscious Surveillance of Entertainment Establishment.** The Municipal Social Service Office and the Gender Multi-Sectoral Coordinating Council Authorities, shall conduct conscious surveillance of entertainment establishment existing in the municipal that may be exploiting young men and women.

**SECTION 90. Pedophilia.** Pedophilia as a form of sexual perversion where children are the preferred survivors, shall be punishable as follows;

- a. when the offender shall have sexual intercourse where a boy or a girl, he/she shall be sentenced to the penalty for Acts of Rape under Section 81 and 82 of Article II Chapter II of this code;
- b. when the offender shall have anal intercourse with a boy or girl, he/she shall be sentenced to six months imprisonment or in accordance with existing law or at the discretion of the court;
- c. when the offender commits other pedophilic act, he/she shall be punished by an imprisonment of 3 months or in accordance with existing laws or at the discretion of the



court, provided the said penalty shall be imposed in its maximum period if the offended party is a girl.

**SECTION 91. Additional Penalties for Pedophiles are as follows;**

- a. payment of moral damages to the offended girl or boy or her/his parents;
- b. if the offender is an alien, deportation after serving his sentence and paying his civil liabilities; se shall be barred from re-entering the Philippines.

**SECTION 92. Complaints of Pedophilia.** Complains against pedophilic acts shall be filed by the same person as enumerated under Section 85, Article II, Chapter II of this Code.

**ARTICLE IV  
CULTURAL IDENTITY OF WOMEN**

**SECTION 93. Indigenous and Moro Cultural Practices.** Indigenous and Muslim women shall be allowed enrolment in schools and colleges and enjoy employment opportunities without prejudice to their birth and marriage rituals where no birth and marriage certificates are issued as evidence therefore. Failure to comply with this provision shall be subject to a maximum fine of PhP. 2,500.00.

Implementing rules and regulations of this section shall include issuance of certificate by the Office of the National Commission of the Indigenous People and the Office of Muslim Affairs identifying cultural community affiliation.

**ARTICLE V  
LABOR AND EMPLOYMENT**

**SECTION 94. Reproductive Health Services.** Establishments within the Municipality of San Benito, Surigao del Norte as well as labor intensive establishment shall provide access to reproductive health services to workers regardless of sex and civil status as a manifestation of concern for women's role in social production. Cancellation of business permit of license to operate shall be recommended for imposition by the LGU concerned and/or a fine of PhP. 2,500.00 shall constitute the penalty for violation of this provision.

**SECTION 95. Orientation on Sexual Harassment.** All local offices, agencies and establishment or companies, government and private, in the Municipal shall conduct orientation on sexual harassment. Failure to comply with this provision shall mean a payment of a fine not less than PhP. 1,500.00 more than PhP. 2,500.00.

**SECTION 96. Gender-Sensitive Physical Plan.** A physical plan appropriate for a gender-sensitive environment shall be adopted by all offices, agencies and establishments or companies which shall help prevent sexual harassment, sexual abuse and other forms of maltreatment in the workplace. Failure to comply with this provision shall be penalized as follows;

- a. 1<sup>st</sup> offense - fine of PhP. 1,000.00 and suspension of business permit or license for 3 months.
- b. 2<sup>nd</sup> offense – fine of PhP. 2,000.00 and suspension of business permit or license for 6 months.
- c. 3<sup>rd</sup> offence – fine of PhP. 2,500.00 and revocation of business permit or license.

**SECTION 97. Barangay-based Registration of House helpers.** All Barangays in the Municipality shall come up with an annual survey of domestic helpers in their barangays to monitor cases of sexual harassment, sexual abuse and other forms of maltreatment. Household shall be required to enlist their house helpers for identification and for other purposes. An administrative sanction shall be imposed upon any Barangay Council which fails to comply with this provision.

## **ARTICLE VI SPECIAL GROUP OF PERSONS**

**SECTION 98. Barangay-Level Sanction of Cases of Harassment Committed Against Differently-Abled Persons.** All barangays in the Municipality shall formulate a barangay-level sanction on cases of harassment committed against differently-abled persons. Failure to comply with this provision shall subject the offenders to an administrative sanction.

## **ARTICLE VII WOMEN AND CHILDREN**

**SECTION 99. Support to Women and Children.** All agreements or settlements arrived at the barangay-level relative to the support of the children shall be final and executor. Violation of such agreements or settlements shall be subjected to a fine of PhP. 1,000.00

**SECTION 100. Promotion of Environment Friendly Technologies.** No government agency shall act as agents of chemical agriculture. Chemicals allowed to be used are those duly authorized by the Herbicide and Pesticide Authority. An Administrative sanction shall be imposed to head of agencies found violating this provision.

## **ARTICLE VIII GENDER AND DEVELOPMENT ORIENTATION TRAINING**

**SECTION 101. Gender Sensitivity Orientation and Training.** All schools, offices, establishment and agencies including Municipal and barangay officials within the Municipality of San Benito, Surigao del Norte shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise all establishments, schools, colleges and university shall develop assessment tools for gender biases. Non-compliance of this provision shall require the concerned party to pay a fine of PhP. 2,500.00 and issuance of warning by the Provincial Governor, through the Municipal Social Services Offices.



## **CHAPTER III - PROVISIONS FOR IMPLEMENTATION**

### **ARTICLE 1**

#### **THE MUNICIPAL INTEGRATED POPULATION AND SOCIAL SERVICES OFFICE**

##### **SECTION 102. Creation of the Municipal Integrated Population and Social Services Office.**

The Municipal Integrated Population, Municipal Social Services Office of San Benito, Siargao Island, Surigao del Norte is hereby created specifically to realize the provisions of this Ordinance. It shall be coordinating, regulatory and monitoring office of the Municipal Government of San Benito, Surigao del Norte which shall focus on gender-sensitive project and activities.

##### **SECTION 103. Function of the Municipal Integrated Population and Social Services Office.**

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

A. Monitoring and Coordinative Functions. These functions shall assure the realistic, measurable and tangible results in the implementation on this Code. These include, but not limited to:

a.1) Gender-Sensitive Watch. A system of services and facilities in order to monitor status of men, children and women in the Municipal wherein all departments and agencies therein shall develop practical methodologies for incorporating gender perspectives into all aspects of economy and policy-making. It shall collect gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative statistical indicators to facilitate the assessment of economic performance from gender fair perspective. It shall also serve as the data bank of the Municipal Government on population, gender and development.

a.2) Legal Aid Services Check. A coordinated services for any legal actions needed in protecting men, women, children, and special group of person's right shall be installed.

a.3) Advocacy and Campaign Management. A coordinated advocacy and campaign on all forms of discrimination and violence against any person shall be programmed.

a.4) Sustainable and Gender Sensitive Project Development. A system of appraisals of projects to determine sustainable impact on women and men, local economy, politics, culture and ecosystem.

a.5) Violence in Media Check. An active dialogue with tri-media representative shall be undertaken by the Office in coordination with the Sangguniang Bayan Committee on Gender and Development and Social Welfare on incidence of all forms of violence in media.

B. Regulatory Function. This function shall include establishing protocols and standards relevant to the following concerns:

b.1) Education and Training Benchmark. Gender-Sensitivity education and trainings for all departments and agencies of the Municipal Government of San Benito, Surigao del Norte and at the barangay level shall be designed. Standards for contents of the courses shall be established by the Office.

b.2) Psychological Support Program. A holistic and indigenous approach to men and women with social disfunctioning which include attendance to their physical/ biological, emotional, psychological and social needs shall be set up. Indicators of program success shall be established by the Office.

b.3) Early Childhood Care and Development Program and Services. Appropriate support services for children shall include day nursery/a hospital for foundlings and day care services for infants and toddlers as prescribed in RA 6972. Indicators of quality of services shall be established by the Office.

b.4) It shall be involved in all the processes related to the conceptualization, development assessment and evaluation of population and gender development and advocacy programs of the Municipal Government.

**SECTION 104. Appointment and Qualification.** The Municipal Mayor shall appoint the Municipal Government Department Head with the concurrence of the Sangguniang Bayan provided that he/she meets the following qualifications:

- a. Must be a holder of any relevant college degree;
- b. Must be a bonafide resident of the Municipality of San Benito, Surigao del Norte.
- c. Must have at least a 1-year experience in Gender and Development works;
- d. Must have appropriate Civil Service Eligibility; and
- e. Other qualifications relevant and necessary therefore.

**SECTION 105. Personnel.** Upon recommendation of the Municipal Mayor, the Sangguniang Bayan shall create positions that will assist in the implementation of this Code and man the operation of the Municipal Social Services Office, Gender and Development Office taking into consideration the service requirement and the financial capability of the Municipal Government, subject to the minimum standard prescribed by the Civil Service Commission as well the appropriate position titles and salary grades prescribed by the Department of Budget and Management.

**SECTION 106. Compliance Report.** Within six (six) months from the effectivity of this code and every six (6) months thereafter, the Municipal Social Services Office, Gender and Development Office shall submit a report to all offices concern; copy furnished the Sangguniang Bayan, of their compliance with this Code.

## **ARTICLE II TRANSITORY PROVISIONS**

**SECTION 107. The Municipal Population Division.** The Municipal Social Services Office, in coordination with the Sangguniang Bayan Gender and Development Committee, the Sangguniang Bayan Office, The Municipal Human Resources Management Office, the PNP Women and Children's Desk, and the Municipal Planning and Development Office shall assume and exercise the functions, powers and duties prescribed in this Code in the interim until such time the Municipal Social Services Office, Gender and Development Office is duly constituted. For this purpose, all existing programs and the corresponding appropriation are hereby assumed by the Municipal Social Services Office for implementation. Thereafter, this Division automatically become an integral part of the organization of the Municipal Social Services Office, Gender and Development Office.



**SECTION 108. Funding.** An amount as may be necessary to implement the provisions of this Code is hereby appropriated from any available source in the General Fund of the Municipality. Thereafter, the Municipal Government shall set aside an amount as may be necessary to fund the GAD projects and activities of the Municipal Government in pursuance of this Code, subject to existing pertinent laws, rules and issuances on the matter.

**SECTION 109. Rules and Regulations.** The Municipal Mayor, through the assistance of the Gender Multi-Sectoral Coordinating Council, shall formulate the Implementing Rules and Regulations necessary to carry out the provisions of this Code.

**ARTICLE III**  
**FINAL PROVISIONS**

**SECTION 110. Separability Clause.** If for any reason any portion or provision of this Code is declared unconstitutional or invalid, the other sections or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

**SECTION 111. Suppletory Clause.** On matters not provided for this Code, any existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances issued thereof shall apply in supplemental manner.

**SECTION 112. Effectivity Clause.** This Code shall take effect upon compliance of the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.


**PASSED AND ENACTED** this, 13<sup>th</sup> day of November 2023 through the motion of Sangguniang Bayan Member Cindy R. Agati duly seconded by Sangguniang Bayan Member Charlito E. Mendavia.

XX

*We hereby certify to the correctness of the foregoing resolution.*

  
**HON. CINDY R. AGATI**  
SB Member


  
**HON. PUYAT P. SUMANDO**  
SB Member


  
**HON. CHARLITO E. MENDAVIA**  
SB Member

  
**HON. ALDREIN C. GLIMANE**  
SB Member

  
**HON. DELFIN P. LABOLA**  
SB Member

  
**HON. WILLIAM A. POLICAN**  
SB Member


  
**HON. JAYROM P. CABALLEJOS**  
SB Member

  
**HON. WELLYBEL A. REQUIRME**  
Municipal Vice Mayor/ Presiding Officer

Attested:

  
**MELQUIADES G. MANTILLA, MA, MPA**  
Municipal Government Department Head 1  
Sangguniang Bayan Secretary

APPROVED: 11/17/2023

  
**HON. Ma. GINA SUMANDO – MENIL, LCB**  
Municipal Mayor

