



Republic of the Philippines

PROVINCE OF BENGUET

SANGGUNIANG PANLALAWIGAN NG BENGUET

Legislative Building, Capitol Compound, La Trinidad, Benguet

118th REGULAR MEETING OF THE 9TH SANGGUNIAN

December 10, 2018

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| HON. FLORENCE B. TINGBAOEN, | Vice Governor & Presiding Officer |
| HON. JOHNNY D. WAGUIS, | Board Member |
| HON. FLORENCIO V. BENTREZ, | Board Member |
| HON. ROBERT M. NAMORO, | Board Member |
| HON. JIM G. BOTIWEY, | Board Member |
| HON. JUAN M. NAZARRO, JR., | Board Member (On Leave) |
| HON. BERNARD S. WACLIN, | Board Member |
| HON. APOLINARIO T. CAMSOL, | Board Member |
| HON. RUBEN E. PAOAD, | Board Member |
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| HON. NESTOR T. FONGWAN, JR., | Board Member, PCL President |
| HON. SARO M. COPAS, | Board Member, IPM Representative |
| HON. JESTON S. BALONG-ANGEY, | Board Member, SKF President (On Leave) |
| HON. MELCHOR C. GUESEY, | Board Member, Lnb President |

Provincial Ordinance No. 2018 – 242

THE REVISED GENDER AND DEVELOPMENT CODE OF BENGUET PROVINCE

PRINCIPAL AUTHOR: HON. FLORENCE B. TINGBAOEN

CO-AUTHOR: HON. JIM G. BOTIWEY

EXPLANATORY NOTE

WHEREAS, Section 14, Article II, on the Declaration of Principles and State Policies of the 1987 Philippine Constitution, recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of men and women. This is further reinforced by Republic Act No. 7192, also known as the Women in Development and Nation-Building Act, Republic Act No. 9710 or the Magna Carta of Women (MCW), Republic Act No. 7160 (Local Government Code of 1991, as amended), the GAD Budget Policies, such as the General Appropriations Act (GAA) and the PCW-DILG-DBM-NEDA Joint Memorandum Circular Nos. 2013-01 and 2016-01 (Guidelines on the Localization of Magna Carta of Women), Philippine Gender Plan, among others. Moreover, the Philippine Government is a signatory to the international treaties/commitments, such as the United Nation Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Beijing Platform For Action (BPFA), International Conference on Population and Development Program of Action and the Millennium Development Goals (MDG). *bfr*

WHEREAS, in compliance and pursuit of these national mandates and international commitments, the Provincial Government of Benguet, enacted this Gender and Development (GAD) Code to affirm, operationalize and harmonize local development efforts especially in promoting, protecting and fulfilling men and Women's human rights, as well as those (rights) of other marginalized people towards their empowerment and attainment of gender equality in the Province. This code further seeks to guide and support the identification, implementation, monitoring and evaluation of GAD-Related Programs, Projects and Activities, as well as services.

**NOW THEREFORE, ON MOTION OF HON. JIM G. BOTIWEY
DULY SECONDED, BE IT ORDAINED BY THE SANGGUNIANG
PANLALAWIGAN OF BENGUET IN SESSION ASSEMBLED THAT:**

ARTICLE I
**TITLE, STATEMENT OF POLICIES, LEGAL MANDATES AND
DEFINITION OF TERMS**

SECTION 1. TITLE. This ordinance shall be known as the "**Gender and Development Code of Benguet Province**".

SECTION 2. STATEMENT OF PRINCIPLES AND POLICIES. The Provincial Government of Benguet recognizes, protects and promotes the various needs of its diverse and multi-ethnic population. All the programs, projects and processes/activities of the Provincial Government shall be gender fair and gender sensitive. Moreover, it is the general principle and policy of the Province of Benguet to promote men and women's empowerment, human rights, gender sensitive and responsive plans, programs and processes, as indispensable social interventions towards creating a progressive, peaceful and harmonious community.

Specifically, the declared principles and policies are the following:

- a. That men and women's rights are human rights;
- b. That women are equal partners of men in all spheres of human endeavors;
- c. That men, women and children's rights must be promoted, respected and protected;
- d. That men and women's empowerment and gender sensitivity must be pursued in all aspects of local governance to ensure that both will equally contribute to and benefit from development and participate in decision-making processes;
- e. That local development plans, programs and activities, in partnership with Civil Society Organizations (CSO), other government organizations and the private sector, must be rights-based and gender-responsive to ensure that human dignity is upheld and the enforcement of the GAD Code is the responsibility of the LGUs;
- f. That LGUs shall allocate, utilize and monitor the use of GAD budget or appropriations;
- g. To eliminate gender-biases in all policies, systems and procedures and ensure adherence to the principles of empowerment and gender equality;

(Handwritten signatures and initials follow)

- h. To develop and strengthen mechanisms for mainstreaming GAD;
- i. To devise and take applicable measures pertinent to the eradication of all forms of abuse and discrimination against men, women and children;
- j. To promote men and women's economic empowerment; and
- k. The right to comprehensive social services.

SECTION 3. GAD LEGAL BASES AND MANDATES - The enactment of this Gender and Development (GAD) Code is in consonance with the noble visions of the Province as a pillar in promoting human economic empowerment, gender-responsive development and governance and the fulfillment of human rights in accordance with its national mandates and international commitments as embodied under the following laws, conventions, agreements and other applicable Acts:

i. Local Laws -

- a. **Provincial Ordinance No. 96-20** or the Teaching of Benguet Native Dances and Dialects to Interested Benguet Citizens in the Provincial Capitol and in the Municipal Town Halls.
- b. **Provincial Ordinance No. 02-078** or the Provincial Council for Family, Women and Children and Providing Funds Therefor.
- c. **Provincial Ordinance No. 02-079** or the Provincial Aids Watch Council and Providing Funds Therefor.
- d. **Provincial Ordinance No. 04-093** or the Enacting a Senior Citizens Officer For A Day and Appropriating Funds Thereof.
- e. **Provincial Ordinance No. 07-118** or The Benguet Children's Code.
- f. **Provincial Ordinance Nos. 07-078 & 08-130** or The Guidelines and Regulations of the Operation and Service of Internet Café and Other Similar Establishments for the Protection of Children.
- g. **Provincial Ordinance No. 08-132** or The Teaching of Benguet Indigenous Dances and Musical Instruments in both Public and Private Elementary and High Schools in the Province of Benguet.
- h. **Provincial Ordinance No. 15-172** Institutionalizing the Granting of Incentives Augmentation to Qualified Barangay Health Workers (BHWs), Financial Assistance to Child Development Workers (Day-care Workers), and to Government Barangay Nutrition Scholars (BNSs) in the Province of Benguet, Providing the Guidelines and Appropriating Funds Thereof.
- i. **Provincial Ordinance No. 15-177** or the "Benguet Provincial Advocacy Action Team" to oversee the implementation of the provisions of the "Responsible Parenthood and Reproductive Health Law" and "Magna Carta for Women".
- j. **Provincial Ordinance No. 16-196** or the Senior Citizens Council Ordinance of the Province of Benguet.

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- k. **Provincial Ordinance No. 16-199** Providing for the Establishment, Operation and Maintenance of a "Bahay Pag-asá" in the Province of Benguet for Children in Conflict with the Law (CICL), Children at Risk (CAR), Children in Especially Difficult Circumstances (CEDC), and Women in Especially Difficult Circumstances (WEDC as defined and Provided by Existing Laws; Providing Funds Therfore; and for Other Purposes.
- l. **Provincial Ordinance No. 17-204** Enacting the Responsible Parenthood and Reproductive Health Code (RPRH), Policies and Programs of the Province of Benguet, Appropriating Funds Therefor and for Other Purposes.
- m. **Provincial Ordinance No. 17-215** An Ordinance Enacting the Code of Parental Responsibility for the Protection of Children's Rights in the Province of Benguet

ii. National Laws -

- a. **Article II, Section 14, 1987 Phil. Constitution** which provides that "the State recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of men and women";
- b. **Republic Act No. 6725** or the Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment;
- c. **Republic Act No. 6949** otherwise known as an "Act to Declare March Eight (8) of every year as Special Working Holiday as the National Women's Day;
- d. **Republic Act No. 6955** or the Act to Declare Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail Order Basis and Other Similar Practices, including Advertisement, Publication, Printing or Distribution of Brochures, Fliers and Other Propaganda Materials;
- e. **Republic Act No. 6972** or the Act Establishing a Day Care Center in Every Barangay;
- f. **Republic Act No. 7160** or the Local Government Code of 1991;
- g. **Republic Act No. 7192**, otherwise known as the "Women in Development and Nation Building Act";
- h. **Republic Act No. 7438** or otherwise known as the Act Defining Certain Rights of Person Arrested, Detained or under Custodial Investigation as Well as the Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties for Violations Thereof;
- i. **Republic Act No. 7600** which provides incentives to all government and private health institutions with Rooming-In and Breastfeeding Practices;
- j. **Republic Act No. 7610** or the Special Protection of Children against Abuse, Exploitation and Discrimination Act;

- k. **Republic Act No.7877** or the Anti- Sexual Harassment Act;
- l. **Republic Act No. 7882** or the Act of Providing Assistance to Women engaging in Micro and Cottage Business Enterprise and for Other Purposes;
- m. **Republic Act No. 8343** or the Act Expanding the Definition of the Crime of Rape, Reclassifying the Same as a Crime Against Persons, further amending for the Purpose Act No 3815, as amended, otherwise known as the Revised Penal Code and for Other Purposes;
- n. **Republic Act No. 8353** or the Anti-Rape Law of 1997;
- o. **Republic Act No. 8505** or the Rape Victim Assistance and Protection Act;
- p. **Republic Act No. 8551** or the New Police Act of 1998;
- q. **Republic Act No. 8972** or the Solo Parent's Welfare Act;
- r. **Republic Act No. 8980** otherwise known as the Childhood Care and Development (ECCD) Act that promulgates a comprehensive policy and national system for children 0-6 years old;
- s. **Republic Act No. 9208** or the Anti- Trafficking in Persons Act;
- t. **Republic Act No. 9262** or the Anti- Violence Against Women and their Children Act;
- u. **Republic Act No. 9710** or the Magna Carta of Women (MCW);
- v. **Executive Order No. 273** or the Philippine Plan for Gender-Responsive Development, 1995-2025;
- w. **The Reproductive Health Law of 2012**; and
- x. **GAD Budget Policies**, such as the **General Appropriations Act (GAA)** and the **PCW-DILG-DBM-NEDA Joint Memorandum Circular Nos. 2013-01 and 2016-01** (Guidelines on the Localization of Magna Carta of Women).

iii. International laws, conventions and agreements:

- a. Convention on the Elimination of All Forms of Discrimination Against Women(CEDAW);
- b. Beijing Platform for Action (BPFA);
- c. Sustainable Development Goals(SDGs); and
- d. International Conference on Population and Development (ICPD) Program for Action.

SECTION 4. DEFINITION OF TERMS. The terms or phrases used in this Code shall mean as follows:

- 1. Abortifacient** – refers to any drug or device as determined by the Food and Drug Administration that induces abortion or the destruction of a fetus

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inside the mother's womb or the prevention of the fertilized ovum to reach and be implanted in the mother's womb.

2. Adolescent – refers to young people between the ages of ten (10) to nineteen (19) years old who are in transition from childhood to adulthood.

3. Basic Emergency Obstetric and Newborn Care (BEmONC)

– refers to lifesaving services for emergency maternal and newborn conditions/complications being provided by a health facility or professional to include the following services: administration of parenteral oxytocic drugs, administration of loading dose of parenteral anticonvulsants, administration of parenteral antibiotics, antenatal administration of steroids in threatened premature delivery, performance of assisted vaginal deliveries, removal of retained placental products, and manual removal of retained placenta. It also includes neonatal interventions which include at the minimum: newborn resuscitation, provision of warmth and referral, blood transfusion where possible. These services must be made available twenty-four hours a day, seven days a week in a single facility or in a network of facilities.

4. Battering - it refers to any single or series of acts of physical, emotional, psychological and economic abuses, which shall include repeated and habitual cyclic pattern as a means of intimidation of the batterer's will and control over the victim's/survivor's life, but not limited to the following:

- **Sexual Battering** – This includes physical attacks on the breast/genitals or forced sexual activity, accompanied by either physical violence or threat of physical violence of both sexes.
- **Psychological Battering** – This includes threats of suicide, violence against any person or his/her family, punching, breaking or defacing or otherwise destroying the house or any part thereof, or of the personal belongings of a person; threatening to take the children away; threatening the deportation of the spouse with foreign citizenship; threatening to kidnap the children or take them to a foreign country and forcing the victim to do degrading things; controlling the victim's lawful or regular activities; the use of foul and insulting words or statements; and threats of abandonment and expulsion, such as forcing the spouse to leave the conjugal dwelling.

It includes emotional harassment, or false accusations thrown by a person against another and making the other submissive/subservient, by allowing it until it sinks in the person's subconscious mind that it is the truth or that it is the way of things, or that this appears to be already the normal way. The emotional bullying of a person turns them into weaklings and don't anymore have the will to file charges.

- **Economic Battering** – This includes the deprivation of a person in economic resources, their generation and mobilization, creating the dependency and submissiveness to a person and to any established structures of domination.
- **Physical Battering** - refers to any form of physical attack or harm to any part of a person's body, be it directly or with the use of any other object.

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- **Emotional Battering** – refers to premeditated and intentional destruction of properties or pets, usually the victims' favorite.
- 5. Benefit Dance/Disco** - It refers to a dance in the locality where women are being commodified for fund-raising purposes.
- 6. Child-Minding Center** – a nursery where infants are cared/looked after when their parents are at work.
- 7. Child Development Center** – day care centers that are set-up in barangays where children aged 3-4 years old are cared/looked after when their parents are at work.
- 8. Commodification of Women** – is a practice which puts women in subordinate situation which results in the treatment of women as a consumer where women are allured to buy beauty products to enhance their physical attractiveness.
- 9. Commoditization of Women** – It pertains to practices of putting women in subordinate situations resulting in the treatment of women as objects of consumption where women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest usually in exchange for money or goods so that women have no control or power to reject such utilization or manipulation.
- 10. Comprehensive Emergency Obstetric and Newborn Care (CEMONC)**
– refers to life saving services emergency maternal and newborn conditions/complications as in Basic Emergency Obstetric and Newborn Care (BEmONC) plus the provision of surgical delivery (caesarian section) and blood bank services, and other highly specialized obstetric interventions. It also includes emergency neonatal care that includes at the minimum: newborn resuscitation, treatment of neonatal sepsis infection, oxygen support, and antenatal administration of steroids in threatened premature delivery. These services may be delivered in a single facility or in a network of facilities.
- 11. Contraceptive** – refers to any safe, legal, effective, and scientifically proven modern family planning method, device, or health product, whether natural or artificial, that prevents pregnancy but does not destroy a fertilized ovum.
- 12. Development** – is the improvement of the quality of life of all regardless of age, sex, tribe, race, creed and religion. It is characterized by an enrichment of Filipino indigenous resources, sustainable utilization of the natural resources of the Province and freedom from dependency. It is therefore, a sustained equitable growth and balanced ecology.
- 13. Differently – abled Persons** – refers to a person having physical impairments and have differentiated needs and potentials.
- 14. Discrimination Against Women** – refers to any gender-based distinction, exclusion, or any restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

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It also refers to any act or omission by law, policy, administrative measure, or practice, that directly or indirectly excludes or restricts women in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges.

Likewise, it further refers to a measure or practice of general application of discrimination against women if it fails to provide for mechanisms to offset or address sex or gender-based disadvantages or limitations of women, as a result of which women are denied or restricted in the recognition and protection of their rights, more than men, are shown to have suffered the greater adverse effects of those measures or practices. Provided finally, that discrimination compounded by or bisected with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered as a discrimination against women under this Code.

15. Domestic Violence Against Women and Children - is a

violence against women and children which includes, but not limited to: physical, sexual and psychological violence occurring in the family and other relationships, including battering, sexual abuse of wife and children in the household, dowry-related violence, marital rape, genital mutilation and other practices harmful to women, children, non-spousal violence and violence related to exploitation as defined and provided for under R.A. No. 9262 or the Anti-Violence Against Women and Children Law.

16. Early Age sexual involvement – children and youth engaging in sexual activities.

17. Family Planning – refers to a program which enables couples and individuals to decide freely and responsibly the number and spacing of their children and to have the information and means to do so, and to have access to a full range of safe, affordable, effective, non-abortifacient modern, natural and artificial methods of planning pregnancy.

18. Gender –refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes which are context/time-specific and changeable. Gender further determines what is expected, allowed and valued in a woman or a man in a given context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age.

19. Gender and Development (GAD) – refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.

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- 20. 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.
- 21. Girl-Child** – female child below eighteen (18) years old or a woman who is above eighteen (18) years old but is afflicted with mental retardation or insanity.
- 22. Gender-Equality** – refers to the equal rights, responsibilities and opportunities of women and men and girls and boys but does not mean that women and men will become the same. Rather, women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. It implies that the interests, needs and priorities of both women and men are taken into consideration, recognizing the diversity of different groups of women and men and is not a women's issue but should concern and fully engage men as well as women. Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of sustainable people-centered development.
- 23. Gender-Equity** – refers to the policies, instruments, programs, services, and actions that address the disadvantaged position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating de facto equality between men and women, shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standard. These measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved. It entails fairness and justice in the distribution of benefits and responsibilities between women and men, and often requires women-specific projects and programs to end existing inequalities. The concept recognizes that while reproductive health involves women and men, it is more critical for women's health.
- 24. Gender-Mainstreaming** – refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the legislation, policies, or programs in all areas and at all levels.
- 25. Land-Based Projects** – are activities designed systematically in order to provide people the opportunity to have full access and control over the maximum utilization of land and other indigenous resources.
- 26. Mail Order Bride** – it is a practice by any person, natural or juridical, or any association, club or entity of matching Filipino women for marriage to foreign nationals via mail-order basis or thru personal introduction, including the advertisement (print or broadcast media), publication, or distribution of brochures and other propaganda materials in furtherance of these unlawful acts, as defined under R.A. No. 6955 or the Anti-Mail Order Bride Act.
- 27. Marginalization** – a condition where category of people is expelled from useful participation in political, economic, social and cultural life and is potentially subjected to severe material deprivation and even extermination.
- 28. Marginalized** – refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure; and the justice system. These include, but are not limited to the following sectors and groups:

a. Small Farmers and Rural Workers – refers to those who are engaged directly or indirectly in small farms and forests areas, workers in commercial farms and plantations, whether paid or unpaid, regular or season-bound. These shall include, but are not limited to, (a) small farmers who own or are still amortizing for lands that is not more than three (3) hectares, tenants, leaseholders, and stewards; and (b) rural workers who are either wage earners, self-employed, unpaid family workers directly and personally engaged in agriculture, small-scale mining, handicrafts, and other related farm and off-farm activities.

b. Urban Poor – refers to those residing in urban and urbanize slum or blighted areas, with or without the benefit of security of abode, where the income of the head of the family cannot afford in a sustained manner to provide for the family's basic needs of food, health, education, housing, and other essentials in life;

c. Workers in the Formal Economy – refers to those who are employed by any person acting directly or indirectly in the interest of an employer in an employee-employer relationship and shall include the government and all its branches, subdivisions, and instrumentalities, all government-owned and controlled corporations and institutions, as well as nonprofit private institutions or organizations;

d. Workers in the Informal Economy – refers to self-employed, occasionally or personally hired, subcontracted, paid and unpaid family workers in household, including home workers, micro-entrepreneurs and proprietors, and operators of sari-sari stores and all other categories:

e. Migrant Workers – refers to Filipinos who are to be engaged, are engaged, or have been engaged in a remunerated activity in a State where they are not legal residents, whether documented or undocumented;

f. Indigenous Peoples – refers to a group or homogenous societies identified by self-ascription and ascription by other, who have continuously lives as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, tradition, and other distinctive cultural traits, or who have, through resistance to political, social, and cultural inroads of colonization, non-indigenous religions and culture, became historically differentiated from the majority of Filipinos. They shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural, and political institutions, but who may have been displaced from their traditional domains as defined under Section 3 (h), Chapter II of Republic Act No. 8371, otherwise known as "The Indigenous Peoples Rights Act of 1997" (IPRA of 1997);

g. Children – refers to persons who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, discrimination and such other acts against their interest and welfare.

h. Senior Citizens – refers to persons who are sixty (60) years of age and above; 74F

i. Persons with Disabilities – refers to persons who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment to perform an activity in the manner or within the range considered normal for a human being;

j. Solo Parent – refers to any person who fall under the category of a solo parent as defined under Republic Act No. 8972, otherwise known as the "Solo Parents Welfare Act of 2000".

k. Youth – refers to persons with ages 15-30. Comprised of those who are enrolled in high school, tertiary and vocational schools; young peasants, contractual young workers; and unemployed, out-of-school and working students.

29. Maternal and Neonatal Death Review – refers to a qualitative and in-depth study of the causes of maternal and neonatal death with the primary purpose of preventing future deaths through changes or additions to programs and policies.

30. Micro – Enterprise – Any business engaged in manufacturing, trading services, and production with an asset size ranging from One Peso (P1.00) to Three Million Pesos (P3,000,000.00).

31. Places of Amusement – include places of amusement specifically enumerated or otherwise provided for in an Ordinance, but not limited to, nightclubs or day clubs, cocktail lounge, supper or family clubs, disco houses, minus-one or sing-along houses, bar or beer houses/gardens, fast food centers showing sports, competitions or replay shows by direct hook up via satellite or those showing video cassette films/movies, computer/video shops beach resort, and other places of amusement where one seeks admission to entertain oneself by seeing or viewing or by direct participation.

32. Pedophilia – also considered a paraphilia, refers to a condition in which a person's sexual arousal and gratification depend on fantasizing about and engaging in sexual behavior that is atypical and extreme. It is further defined as the fantasy or act of sexual activity with children who are generally age 13 years or younger.

It is a form of sexual perversion committed under the following circumstances:

- a. When the offender shall have sexual intercourse with a girl;
- b. When the offender shall have anal intercourse with a boy or girl
- c. Other pedophilic acts other than sexual or anal intercourse which will include custodial abuse.

33. Pornography – written, printed, graphic or other forms of audio visual communications or publication intended to excite lascivious feelings.

34. 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 pimp, procurer of the service, parents, owners of establishments such as disco houses, bars, sauna bath, massage clinics, hotels and restaurants and any other persons who use various schemes to prostitute women and minors as defined and provided under RA 7610, RA 9208 of the Anti-Trafficking in Persons Act of 2003 and the Revised Penal Code.

35. Psycho-social Program – is an intervention using a system approach to determine conditions of men, women and children as it views their differentiated needs in a social context.

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36. 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.

37. Sexual Harassment – is a form of misconduct involving an act or a series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of sexual nature, made impliedly, directly or indirectly as defined and provided for under R.A. No. 7877 or the Anti-Sexual Harassment Act of 1995.

The following are adopted to constitute sexual harassment, some of which are covered by the Revised Penal Code under Acts of Lasciviousness:

- a. Persistent telling of offensive jokes, such as green jokes or other analogous statements to someone who finds them offensive or humiliating;
- b. Taunting a person with constant talk about sex and sexual intercourse;
- c. Displaying offensive or lewd pic Interrogating someone about sexual activities or private life during interviews for employment, scholarship grant or any lawful activity applied for;
- d. Interrogating someone about sexual activities or private life during interviews for employment, scholarship grant or any lawful activity applied for;
- e. Making offensive hand or body gestures at someone;
- f. Staring or leering maliciously;
- g. Repeatedly asking for dates despite verbal objection;
- h. Touching, pinching or brushing up against someone's body unnecessarily or deliberately;
- i. Kissing or embracing someone against her will;
- j. Requesting any act of sexual favor in exchange for a passing/good grade, obtaining a good job, employment or promotion;
- k. Cursing, whistling or calling a woman in public words having dirty connotations or implications which tend to ridicule, humiliate, or embarrass the woman, such as "puta", "boring", "peste", "garampingat", "bab babai ka lang", "asawa ka da lang", and the like;
- l. Any other unnecessary acts during physical examination; and
- m. Requiring women to wear suggestive or provocative attire during an interview, such as job hiring or employment, and promotion.

38. Survivor's Support Group – is an organized group to whom a survivor of violence voluntarily agrees to establish a professional helping process.

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39. Trafficking in Persons - refers to the recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs as defined in R. A. No. 9208

40. Violence against Women – any act of gender-based violence that results 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, other than those defined as Domestic Violence against Women and their Children Under R.A. No. 9262.

41. Women and Children's Desk - designated desk/unit in an organization/establishment handled by a trained personnel who attends to the needs and concerns of abused women and Children.

42. Women's Empowerment - a goal of and an essential process for women's advancement. It is the process and condition by which women mobilize to understand, identify and overcome gender discrimination and achieve equality. Women become agents of development, and not just beneficiaries. This kind of participation in development enables them to make decisions based on their own views and perspectives.

SECTION 4 - A. Acronyms. As used in this Ordinance, the following acronyms are hereby spelled out:

1. **BEmONC** – Basic Emergency Obstetric and Newborn Care
2. **BPDCWC** – Benguet Provincial Development Center for Women and Children
3. **CAPIN** – Child Abuse Prevention and Intervention Network
4. **CDC** – Child Development Center
5. **CEDAW** – Convention on the Elimination of All forms of Discrimination Against Women
6. **CEmONC** – Comprehensive Emergency Obstetric and Newborn Care
7. **CMC** – Child-Minding Center
8. **CDW** – Child Development Worker
9. **CSO** – Civil Society Organization
10. **DH** – Domestic Helpers
11. **ERPAT** – Empowerment and Reaffirmation of Paternal Abilities
12. **EIA** – Environmental Impact Assessment

13. **FDA** – Food and Drug Administration
14. **GAA** – General Appropriations Act
15. **GAD** – Gender and Development
16. **GFPS** – Gender and Development Focal Point System
17. **ICPD** – International Conference on Population and Development
18. **IP** – Indigenous Peoples
19. **LGU** – Local Government Unit
20. **NGA** – National Government Agency
21. **NGO** – Non-Government Organization
22. **OFW / OCW** – Overseas Filipino Workers / Overseas Contract Workers
23. **PESO** – Public Employment Service Office
24. **PO** – People's Organization
25. **PWD** – Persons with Disability
26. **R.A.** – Republic Act
27. **TWG** – Technical Working Group
28. **VAWC** – Violence Against Women and Children
29. **WCD** – Women and Children's Desk

ARTICLE II **INSTITUTIONAL MECHANISM**

SECTION 5. CREATION OF THE PROVINCIAL GENDER AND DEVELOPMENT FOCAL POINT SYSTEM - The Provincial Gender and Development Focal Point System (GFPS) shall have the following Organizational Structure which shall be composed of the Executive Committee, Technical Working Group (TWG) and the Secretariat as appointed by the Provincial Governor, to perform such duties and responsibilities specifically to realize and implement the provisions of this Code and other Gender and Development (GAD) related programs, projects and processes of the Provincial Government of Benguet.

The Executive Committee shall be composed of the following:

- Provincial Governor as Chairperson
- Provincial Vice Governor as Vice Chairperson

Members:

1. Heads of the LGU departments and other offices relevant to Gender Mainstreaming:

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- Provincial Administrator
- Provincial Planning and Development Coordinator
- Provincial Social and Development Officer
- Provincial Health Officer II
- Provincial Budget Officer
- Provincial Accountant
- Provincial Treasurer
- Provincial Agriculturist
- Provincial Veterinarian
- Provincial General Services Officer
- Provincial Assessor
- Provincial Human Resource Management and Development Officer
- Provincial Engineer
- Secretary to the Sangguniang Panlalawigan
- Provincial Legal Officer
- Provincial Environmental and Natural Resources Officer
- Chief of Hospital III, BeGH

2. Sangguniang Panlalawigan Members:

- Sangguniang Panlalawigan Committee Chairperson on Health and Sanitation
- Sangguniang Panlalawigan Committee Chairperson on Social Services
- Sangguniang Panlalawigan Committee Chairperson on Finance and Appropriations
- Provincial Councilors' League President
- Indigenous Peoples Mandatory Representative
- Liga ng mga Barangay President
- Sangguniang Kabataan Federation President

3. One Representative from each of the following groups:

- President of the Benguet Mayors League
- School Division Superintendent, Department of Education
- Benguet State University GAD Focal Person-academe
- Provincial Rural Improvement Club Federation President – PO's
- Provincial Federation of Women's President – PO's
- Provincial Federation of Persons with Disability President – PO's
- Benguet Provincial Cooperative Development Council Chairperson, NGO/CSO
- Provincial Federation of Barangay Health Workers, NGO/CSO
- Provincial Federation of Barangay Nutrition Scholars President, NGO/CSO

The GFPS Technical Working Group (TWG) shall be composed of key staff from the Provincial various offices/departments represented in the GFPS Executive Committee, including representatives from the Provincial Governors' Offices, Academe, Private Sector, NGOs and Civil Society Organizations. The GFPS TWG Chair shall be elected from among the TWG members and the designation shall be made official through the issuance of an appropriate Order duly signed by the Provincial Governor and endorsed by his /her immediate supervisor or concerned Department Head.

The members of the secretariat shall be designated by the GFPS TWG Chair to assist the TWG in its functions.

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The Municipal and Barangay GFPS shall be created by the concerned LGUs pursuant to PCW-DILG-DBM-NEDA Joint Memorandum Circulars 2013-01 and 2016-01.

SECTION 6. FUNCTIONS OF THE PROVINCIAL GENDER AND DEVELOPMENT FOCAL POINT SYSTEM - The Provincial Gender and Development Focal Point System (GFPS) shall have the following functions, roles and responsibilities:

a. General Functions:

- i. Lead in mainstreaming gender perspective in agency/department policies, plans and programs. In the process, they shall ensure the assessment of the gender-responsiveness of systems, structures, policies, programs, processes, and procedures of the agency based on the priority needs and concerns of constituencies and employees and the formulation of recommendations including their implementation;
- ii. Assist in the formulation of new policies such as the GAD Code in advancing women's status, such as in the case of LGUs;
- iii. Lead in setting up appropriate systems and mechanisms to ensure the generation, processing, review and updating of sex-disaggregated data or GAD database to serve as basis in performance-based gender responsive planning;
- iv. Coordinate efforts of different divisions, offices, units of the agency and advocate for the integration of GAD perspectives in all their systems and processes;
- v. Spearhead the preparation of the agency annual performance-based GAD Plans, Programs and Budget in response to gender issues of their constituencies and clients and in the context of their agency mandate, and consolidate the same following the format and procedure prescribed by the PCW, DBM and NEDA in the Joint Circular 2012-1. The GFPS shall likewise be responsible for submitting the consolidated GAD Plans and Budgets of the department/agency, and as needed, in responding to PCW's comments or requests for additional information.
- vi. Lead in monitoring the effective implementation of GAD-related policies and the annual GAD Plans, Programs and Budget;
- vii. Lead the preparation and consolidation of the annual agency GAD Accomplishment Report and other GAD Reports that maybe required under the MCW;
- viii. Strengthen the external link with other agencies or organizations working on women's rights and gender and development to harmonize and synchronize GAD efforts at various levels of governance;
- ix. Promote and actively pursue the participation of women and gender advocates, other civil society groups and private organizations in the various stages of the development planning cycle, giving special attention to the marginalized sectors; and
- x. Ensure that all personnel of the LGU including the planning and finance officers (e.g. accountant, budget officer, auditors) are capacitated on GAD. Along this line, the GFPS will recommend and plan an appropriate capacity development program on gender and development for its employees as part of and implemented under its regular human resource development program.

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b. The GFPS Chairperson shall:

- i. Issue policies or other directives that support GAD mainstreaming in the policies, plans, programs, projects and activities, budget, systems and procedures of the agency including the creation, strengthening, modification or reconstitution of the GFPS; and
- ii. Approve the GAD Plan, Program and Budget of the agency as duly endorsed by the Executive Committee, with the assistance of the Technical Working Group, and ensure its implementation.

c. The Executive Committee shall:

- i. Provide direction and give policy advice to the Agency Head to support and strengthen the GFPS and agency's GAD mainstreaming activities;
- ii. Direct the identification of GAD strategies, programs, activities and projects based on the results of the gender audit, gender analysis and according to the identified priorities of the agency in response to the gender issues faced by its clients and employees;
- iii. Ensure the timely submission of the agency GAD Plan and Budget, Accomplishment Report and other GAD-related reports to the PCW and to DBM;
- iv. Ensure the effective and efficient implementation of the agency GAD programs, activities and projects and the judicious utilization of the GAD Budget;
- v. Build and strengthen the partnership of the agency with PCW, GAD experts, advocates, women's groups and other stakeholders in pursuit of gender mainstreaming;
- vi. Recommend approval of agency GAD Plans and Budgets and GAD ARs; and
- vii. Recommend awards or recognition to outstanding institutional GAD programs, activities and projects and /or GAD FP members.

d. The Technical Working Group (TWG) shall:

- i. Facilitate the implementation of the gender mainstreaming efforts of the agency through the GAD planning and budgeting process;
- ii. Formulate agency GAD Plans, Programs and Budget in response to the gender gaps and issues faced by their clients and constituencies, women and men employees, following the conduct of a gender audit, gender analysis, and/or review of sex disaggregated data;
- iii. Assist in the capacity development of and provide technical assistance to the agency, and as needed, to officers in the other offices or units. In this regard, the TWG shall work with the human resource development office on the development and implementation of an appropriate capacity development program on gender equality and women's empowerment for its employees, and as requested or deemed necessary, for other offices under the Department or Agency, as the case may be;
- iv. Coordinate with the various units of the agency including its regional and attached agencies and ensure their meaningful participation in GAD strategic and annual planning exercises. The TWG of the GFPS of the central agency

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- shall coordinate with the GFPS of its attached agencies, bureaus and regional offices especially on the preparation, consolidation and submission of GAD Plans and Budgets;
- v. Lead the conduct of advocacy activities and the development of IEC materials to ensure critical support of agency officials, staff and relevant stakeholders to the activities of the GAD Focal Point System and GAD mainstreaming activities;
 - vi. Monitor the implementation of GAD-related programs, activities and projects in their respective offices and suggest corrective measures to improve implementation of GAD PAPs and GFPS activities;
 - vii. Prepare and consolidate agency GAD accomplishment reports; and
 - viii. Provide regular updates and recommendations to the head of agency or ExeCom on the activities of the GFPS and the progress of agency GAD mainstreaming activities based on the feedback and reports of the various units of the agency.

e. The Secretariat shall:

- i. Assist the GFPS ExeCom and the TWG in the performance of their roles and responsibilities, specifically on the provision of administrative and logistical services; preparation of meeting agenda; and documentation of GFPS's meetings and related GAD activities; and
- ii. To perform such other duties and responsibilities as instructed by ExeCom or TWG.

SECTION 7. TERM OF OFFICE - The GFPS members shall serve a term of three (3) years from the date of the effectivity of this code, unless sooner terminated at the pleasure of the Governor. The members representing the different Groups under Article II, Section 5, subsection 3 of this Code shall have continuing membership in the GFPS for the duration of their tenure.

SECTION 8. MANDATED COMMITTEES UNDER THE GFPS – For the effective implementation of this GAD Code and to timely address the present challenges in the noble cause to protect the rights of women and children against any form of domestic violence, the creation of the following committees in the GFPS is urgent and indispensable:

- a. Committee on Anti-Trafficking;
- b. Committee on Domestic Violence
- c. Committee on Economic Empowerment;
- d. Committee on Children;
- e. Committee on Education and Research; and
- f. Committee on Reproductive Health

SECTION 9. GENDER AND DEVELOPMENT RESOURCE CENTER

AND GAD OFFICE - The Provincial Government shall establish a GAD Resource Center (GAD-RC) and GAD Office under the Office of the Provincial Governor, which shall have the capacity to respond to all the needs for GAD mainstreaming of the Province and must provide the following services and resources:

- a. Provide technical assistance for the preparation of a GAD plan and budget, development of gender policies and programs, monitoring and evaluation of the gender results of programs and related work;

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- b. To do research programs to identify gender issues and propose appropriate actions to address these gender issues; To perform Gender-focused monitoring and evaluation of programs/projects performance, outcomes and impacts
- c. To update library materials on Gender and Development and Women's Studies across various academic disciplines and development sectors/fields;
- d. Conduct training programs on gender sensitivity workshops and seminars on gender planning budgeting and the like;
- e. To provide technical assistance for the establishment of Women's / Gender Studies or Programs in academic institutions and implementation / monitoring of Gender related policies, laws and provincial ordinances.

SECTION 10. ESTABLISHMENT OF GAD DATABASE – there shall be a GAD database established in reference to the provisions of Article III of this Code to serve as basis for administration, legislation and enhancement of other areas such as infrastructures and environment programs and policies.

SECTION 11. MONITORING BOARD – A Local Monitoring Board for print, broadcast, electronic, film, and other forms of media shall be created whose membership / composition as maybe necessary, shall be designated by the Chairman of the Executive Committee to monitor and recommend the necessary measures/actions for the filing of appropriate cases against any person who committed any acts that degrades women and indigenous people.

The Monitoring Board shall also conduct inspection and evaluation of GAD PPAs for funding and formulation of policies and programs.

SECTION 12. IMMEDIATE ACTIONS ON REPORTS OF VIOLENCE AGAINST WOMEN AND CHILDREN - All concerned Office Heads of the Provincial Government, including the Municipalities and Barangays and line agencies shall immediately act within 24 hours upon receipt of complaints or reports of violence against women and children. They shall provide appropriate legal, medical, and psychosocial referral/assistance to the complainants within the said period. Failure to act within the prescribed period constitutes neglect in the performance of duty and shall be penalized in accordance with the Civil Service Law and the Local Government of 1991.

SECTION 13. COMPLIANCE REPORT – Within six (6) months from the effectivity of this code, and every six (6) months thereafter, The GFPS in coordination with the PSWDO, shall submit a report to the Sangguniang Panlalawigan for its review and evaluation.

SECTION 14. RULES AND REGULATIONS – Within sixty (60) days from the approval of these amendments, the TWG shall come up with the IRR to be reviewed and approved by the Executive Committee which shall be transmitted to the Sangguniang Panlalawigan for approval.

SECTION 15. CONVENING THE GFPS - It shall be the duty or responsibility of the GFPS Chairman and Provincial Social Welfare and Development Officer to plan out for the first meeting of the Gender and Development Focal Point System and to prepare the necessary documents/ materials/equipment for the purpose.

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SECTION 16. APPROPRIATION – A regular annual appropriation in the amount equivalent to Five Percent (5%) of the total budget from all sources as GAD Funds shall be included in the Provincial Budget. Moreover, an additional amount of not less than Five Hundred Thousand Pesos (P500,000.00) shall be annually appropriated to support the PPAs of the GFPS.

ARTICLE III **HEALTH, NUTRITION AND FAMILY PLANNING**

SECTION 17. SOCIALIZED HEALTH SERVICES – In cases of emergency, no Health Care Facility and Rural Health Unit (RHU) in the Province, public or private, shall deny any person living below the poverty line the right to avail himself/herself of appropriate health care services.

In all cases, the social worker or any authorized hospital personnel shall conduct an assessment or determination of the socio-economic status of the patient for admission purposes.

SECTION 18. REPRODUCTIVE HEALTH CARE APPROACH - The Provincial Government of Benguet shall strengthen and upgrade its health care delivery system with emphasis on using reproductive health care approach by providing the necessary budgetary support.

SECTION 19. MEN'S INVOLVEMENT ON REPRODUCTIVE HEALTH SERVICES - Reproductive Health and Projects shall involve men of all ages, highlighting their crucial role in the maintenance of women's health and well-being.

SECTION 20. ACCESSIBLE INFORMATION ON SEXUALITY AND REPRODUCTIVE HEALTH SERVICES - Women and men, especially adolescents and young adults, shall have free access to information on responsible sexuality and reproductive health while ensuring their right to privacy.

SECTION 21. GENDER - RESPONSIVE HEALTH SERVICES - All health care facilities shall provide gender-responsive services in the delivery of reproductive health care, including the establishment of crisis Intervention Service Units.

SECTION 22. GENDER - RESPONSIVE/FAIR APPROACH - An approach resorted to in a pre-marriage counseling and other programs that instill character values to promote harmonious relationship between women and men.

ARTICLE IV **EDUCATION AND TRAINING**

SECTION 23. EDUCATION ON THE ANTI- SEXUAL HARASSMENT

ACT – In coordination with the Provincial Schol Board and National Agencies concerned, all government and private offices, companies and establishments, private and public schools and universities, shall conduct an orientation on Republic Act No. 7877 or the Anti- Sexual Harassment Act of 1995 and other related laws.

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SECTION 24. GENDER - RESPONSIVE EDUCATION - The Department of Education- Benguet Division Office in coordination with the Provincial School Board, shall ensure the inclusion of a Gender Responsive Development Education into the educational system of the Province. It shall address issues on gender inequalities in admission, gender sensitivity in school books and other instruction materials, putting foremost consideration on the intellectual, moral, socio-cultural, proficiency and educational growth of the students/pupils.

SECTION 25. PROMOTION OF LEGAL RIGHTS LITERACY- the different offices responsible for the administration of justice and guidelines on how to use the Justice System in coordination with the Provincial Government of Benguet, shall disseminate and publish Information on GAD-related national and local laws pertinent to women's rights and its impact to women and men, in an understandable language and format appropriate for persons with disabilities and low levels of literacy.

SECTION 26. SPECIAL EDUCATION FOR PWDs - There shall be a special education school for Persons with Disabilities in the Province which shall offer appropriate technology curricula.

SECTION 27. SUPPORT TO NGOs AND INSTITUTIONS

CONDUCTING WOMEN'S STUDIES – Support should be extended by the Provincial Government to non-government organizations, research institutions, universities and colleges that conduct studies on women's political empowerment and representation in decision-making processes, socio-cultural opportunities and economic benefits or opportunities, priority shall be given to indigenous and differently-abled women.

SECTION 28. GAD ORIENTATION OF OFFICIALS AND EMPLOYEES

– The Provincial Government shall strengthen its linkages to other agencies, institutions, organizations and foundations among others, to ensure that gender and development orientation are regularly conducted in the Province.

SECTION 29. GENDER AND DEVELOPMENT ORIENTATION FOR

POLICE AND MILITARY OFFICERS AND PERSONNELS – gender orientation shall be a part in all trainings for police and military officers and personnel, to avoid the abuse of power leading to violence against women and children.

SECTION 30. GENDER - CULTURE SENSITIVE COUNSELLING AND

CAREER PROGRAMS – Private and public schools, institutions, colleges and universities, and other concerned agencies shall promote gender - culture sensitive counselling and career education programs to encourage male and female students to pursue non-traditional professions and widen their career opportunities. They shall also provide gender sensitivity training to their employees to equip them with theoretical and practical knowledge on gender issues and concerns and develop systematic assessment tools for gender biases.

Likewise, Health care facilities shall provide gender sensitivity training at least once a year to health workers and professionals employed by them. A certification by the organization or person who conducted the training shall be presented to the Provincial Health Office on the compliance of this provision.

SECTION 31. GENDER - SENSITIVITY TRAINING FOR PERSONS

HANDLING VAWC CASES – Gender sensitivity training for persons in the medical and legal professions, Social Welfare Officers and those especially involve in the investigation process, such as nurses, medico- legal officers, prosecutors, police and

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detention officers, shall be conducted to provide them with the proper attitude, knowledge and skills in handling Violence against Women (VAWC) Cases.

SECTION 32. CONTINUOUS REVIEW OF GENDER-BASED LAWS -

The Provincial Government shall encourage the continuous review of Local Laws and practices with the end in view of detecting gender bias and eliminating all forms of discrimination on the basis of sex and provisions that are gender-based.

ARTICLE V LABOR, EMPLOYMENT AND ECONOMIC OPPORTUNITIES

SECTION 33. EQUAL EMPLOYMENT OPPORTUNITY POLICY FOR

ALL – The criteria for recruitment, hiring, selection and appointment to government and policy- determining positions shall be transparent, relevant and not discriminatory regardless of sex or sexual orientations.

SECTION 34. MECHANISM TO SUPPORT LABOR AND ECONOMIC EMPOWERMENT OF MEN AND WOMEN AND MONITORING

COMPLIANCE –The Provincial Government, in coordination with the concerned agencies, shall establish mechanisms to support labor and economic empowerment of men, women, children, PWDs and senior citizens in all offices, agencies, establishments and companies operating within the Province of Benguet to ensure their safety and strict compliance with the labor laws and other issuances especially those pertaining to children, women and labor.

SECTION 35. FACILITIES AND SUPPORT SYSTEM FOR EMPLOYEES – Employers shall ensure the health, safety and well - being of their employees.

IN APPROPRIATE CASES, EMPLOYERS SHALL:

1. Establish separate toilet rooms, lavatories and lounge for women and men, and provide at least a dressing room for women.
2. Set up home care center in the workplace where working mother/parents may have breastfeeding, child rearing and early childhood activities while on their respective jobs.
3. Institute flexible working arrangements to accommodate the various responsibilities of women and men to their families.
4. Ensure that working conditions shall be gender sensitive to guarantee peace and productivity.
5. Provision of first aid kits and other medical supplies in the workplace/s.

SECTION 36. GRIEVANCE MACHINERY ON VIOLATION OF LABOR

LAWS - The Local Government Units of Benguet, in coordination with the Civil Service Commission and the Department of Labor and Employment, shall set up a grievance machinery to act on all complaints in the workplace, specifically on sexual harassment cases not covered by Republic Act No. 7877. The GFPS shall submit a quarterly accomplishment report to the ExeCom for appropriate action.

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SECTION 37. SUPPORT/ESTABLISHMENT OF SELF- EMPLOYED ENDEAVORS FOR MEN, WOMEN, SOLO PARENTS AND OTHER SECTORAL GROUPS

SECTORAL GROUPS - The Provincial Government in coordination with the SP Committee on Trade and Industry and the Department of Trade and Industry, shall in appropriate cases, grants livelihood and financial assistance, conduct workshops, fora and other similar trainings to fully equip and contribute to the capability build-up and enhance the skills-management and decision-making

processes of men, women and other sectoral groups engaged in self-employed endeavors in micro-enterprises, small-scale business, indigenous industries and other employment opportunities.

SECTION 38. PROMOTION FOR ECO-TOURISM AND FAMILY-

ORIENTED ACTIVITIES -The Provincial Government shall strengthen its tourism thrust towards promoting equality of women and providing full opportunities for the development and participation of women in eco-tourism and family-oriented activities without exploiting the rights of women, men and children.

ARTICLE VI

PEOPLE, POLICY, ENABLING MECHANISMS AND PROGRAMS, PROJECTS AND ACTIVITIES

SECTION 39. COMMUNITY – BASED PROGRAMS, PROJECTS, AND

ACTIVITIES- The Provincial Local Government of Benguet in line with the SDGs of the National Government, shall ensure the participation of the community in all PPAs, such as but not limited to: pollution control, zero- waste technology development, infrastructure and livelihood programs/assistance, management and preservation of the forest and environmental impact assessment (EIA) of projects/programs placing importance on gender disaggregated data.

ARTICLE VII

POLITICAL AND PUBLIC SPHERE OF GOVERNANCE

SECTION 40. OBSERVANCE OF NATIONAL WOMEN'S MONTH -

Pursuant to Proclamation No. 224 and International Women's Day the Province of Benguet shall observe with appropriate programs/activities the Provincial Women's Month on March 8 of every year.

SECTION 41. GENDER MAINSTREAMING AT ALL LEVELS OF

GOVERNANCE - The Province of Benguet shall establish mechanisms to ensure that gender perspectives are integrated in legislations, public policies, programs, projects and processes.

SECTION 42. MUNICIPAL AND BARANGAY BASED WOMEN'S

ORGANIZATIONS - All Municipalities and Barangays are encouraged to promote and support women's organizations formed by their respective constituents.

SECTION 43. PROVINCIAL FEDERATION OF WOMEN – A coalition or a

federation of women shall be organized which shall be composed of various accredited women's organizations and federations in the Province of Benguet. The Provincial Social Welfare and Development Office shall initiate the organizations thereof and acts as the adviser to the Federation.

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SECTION 44. REPRESENTATION OF WOMEN IN LAW-MAKING BODIES AND OTHER LOCAL SPECIAL BODIES

– The Provincial Government of Benguet shall ensure that women are duly represented in the Law-Making Bodies and other Local Special Bodies in the Province, Municipality and Barangay levels to strengthen government recognition of women's potentials in the formulation, planning, implementation, monitoring and evaluation of local development programs.

ARTICLE VIII MEDIA, ARTS AND CULTURE

SECTION 45. SUPPORT FOR INDIGENOUS FORMS OF MEDIA

– The media industry shall use indigenous forms and expressions in story-telling, drama, poetry and song to disseminate information on Gender Sensitive issues.

SECTION 46. PRESERVATION OF CULTURAL IDENTITIES, PRACTICES,

AND VALUES – Preservation and enrichment of the cultural identities, practices, and values of indigenous peoples shall be incorporated in all GAD programs, projects, and policies of the Provincial Government provided, it is consistent with GAD Principles and Policies.

ARTICLE IX JUSTICE, PEACE AND SECURITY

SECTION 47. SECURED AND CONDUCIVE ENVIRONMENT FOR

VAWC CASE CONSULTATION – Interview rooms with audio-visual equipment, women and childrens desk, one- way mirror, and other provisions that would provide women and children survivor of violence a sense of security, comfort and confidentiality during the conduct of consultation, shall be established and maintained at the respective Municipal Police Offices, the Municipal and Provincial Social Welfare and Development Offices and other concerned offices.

SECTION 48. SURVIVOR'S SUPPORT GROUP IN PROCESSING OF

ALL VAWC CASES – The Province shall encourage and coordinate the presence and participation of support groups in all processing regarding VAWC Cases conducted in all levels.

SECTION 49. SEPARATE FACILITY FOR MEN AND WOMEN

DETAINEES AND CHILDREN IN CONFLICT WITH THE LAW – The rights of men and women detainees and children in conflict with the law shall be protected by providing a separate facility/structure and space for detention and rehabilitation/intervention programs. The Provincial Government shall coordinate with the concerned agencies for appropriate programs responsive to their specific needs and problems.

SECTION 50. RAID IN ENTERTAINMENT ESTABLISHMENTS AND

SIMILAR PLACES – that members of the Law enforcement agencies shall not resort to any act of brutality or human abuse that will humiliate or degrade others at anytime and anywhere in any kind of activity, such as during the conduct of raids in entertainment establishments and similar places.

ARTICLE X

PROGRAMS AND SUPPORT SERVICES TO GAD RELATED CONCERNS

SECTION 51. SUPPORT TO SURVIVORS OF VIOLENCE / PROSTITUTION / SEX-TRAFFICKING / PEDOPHILIA / SEXUAL HARRASSMENT - The Provincial Government shall provide immediate comprehensive support to survivors of violence/prostitution/sex trafficking/pedophilia/sexual harassment which shall consist of, but not be limited

to, referrals through free or low-cost services such as legal, medical, psychosocial, shelter, livelihood assistance and to coordinate other forms of support services provided by Non-Government organizations.

The Province of Benguet shall establish women and children's special protection unit in all its district hospitals with appropriate facilities for treatment of abused women and children.

SECTION 52. FAMILY ARBITRATION COMMITTEE - A gender responsive Family Arbitration Committee, whose members has undergone special paralegal training and other laws related to gender and development, shall be created within the Lupong Tagapamayapa of each Barangay to resolve cases on domestic violence and other similar cases.

SECTION 53. CHILD ABUSE PREVENTION AND INTERVENTION NETWORK (CAPIN) - A Child Abuse Prevention and Intervention Network (CAPIN) on family violence shall be created by the Provincial Government upon the recommendation of the PGDC with representatives from different GO & NGO's engaged in programs promoting, preserving and protecting the interest and welfare of the family.

SECTION 54. CRISIS INTERVENTION CENTER (CIC) - The Provincial Government shall establish a Crisis Intervention Center which shall be known as the Benguet Provincial Development Center for Women and Children (BPDCWC), to be manned by trained and competent personnel, among them a Psychiatrist and Psychologist, to serve as a temporary shelter with appropriate services for women and children in crisis. For purposes of this provision, the Bahay Pag-aso as created by Provincial Ordinance No. 16-199 may serve initially as the Crisis Intervention Center.

SECTION 55. INTERVENTION PROGRAMS FOR PERPETRATORS OF VIOLENCE - Counseling and intervention programs for perpetrators of violence against any person shall form part of the Gender and Development (GAD) programs and processes.

SECTION 56. SUPPORT AND ASSISTANCE FOR OVERSEAS WORKERS (OFWs) AND THEIR FAMILIES - The Local Government Units of Benguet shall coordinate with the OWWA in strengthening Overseas Programs that will responsively address the general welfare of the OFWs.

The Local Government Units of Benguet through MESO and MSWDO in coordination with the Overseas Federation of the OFWs in the Municipality or Barangay, as the case maybe, shall conduct a municipal / barangay level survey of Overseas Contract Workers / Overseas Filipino Workers who are victims of violence

(maltreatment, sexual harassment, and other forms of sexual abuse), the results of which (the Quarterly and Year-end Reports) shall be submitted to GFPS to serve as basis for special support to their families.

SECTION 57. SUPPORT AND ASSISTANCE OF CHILD

DEVELOPMENT CENTERS - The Provincial Government of Benguet shall ensure that Child Development Centers (CDC) are set-up in all barangays. Child Development Centers existing in the barangays shall be responsive to the need of the community to provide childcare assistance to parents in order that they may be able to engage in economically productive activities. For this purpose, Child Development Center shall give priority to children aged 3-4 years old.

SECTION 58. SUPPORT AND DEVELOPMENT OF CHILD-MINDING

CENTERS - Local Government Units of Benguet shall ensure that nursing stations within the child-minding centers are set-up in all public and private institutions. For this purpose, Child-Minding Centers shall give priority to children aged 0-2.11 years old.

ARTICLE XI

PROGRAMS FOR OTHER SPECIAL SECTORAL AREAS

SECTION 59. ADVOCACY ON THE RIGHTS OF PERSONS WITH

DISABILITIES (PWDs) - Programs and projects shall be developed to promote the interest of Persons with Disabilities and, at the same time, promote their rights to all opportunities for advancement.

SECTION 60. ORGANIZATION OF ELDERLY WOMEN AND MEN -

Subject to the passage and approval or adoption of barangay guidelines providing for policies and rules governing the organization, representation, selection and welfare of elderly men and women, each Barangay shall endeavor to include a representative of elderly women and men in the Barangay Development Council and other Local Special Bodies in order that they could contribute their talents/wisdom to the betterment of the community/society.

SECTION 61. EMPOWERMENT AND REAFFIRMATION OF

PATERNAL ABILITIES (ERPAT) - The Provincial Government of Benguet in coordination with the PSWDO shall conduct trainings/programs on the empowerment and reaffirmation of the paternal roles and responsibilities of men.

SECTION 62. YOUTH DEVELOPMENT PROGRAMS AND POLICIES.

The Provincial Government of Benguet in cooperation with the office of the SK Sanggunian Representative, shall promote, provide, and support programs for the general well-being of the youth, particularly on the following areas:

- Livelihood Development Services;
- Cultural and Moral Upliftment Services;
- Conduct of Annual Youth Summit;
- Scout-Officials-for-a-Day Activity (SOFAD);
- Provision of facilities for sports development; and
- Provide workshops, training, forums and facilities to improve the skills and develop youth as better citizens and actively participate in community affairs.

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ARTICLE XII PROHIBITED ACTS

SECTION 63. PROHIBITION OF GENDER - BASED DISCRIMINATION IN RECRUITMENT, WORK-ASSIGNMENTS AND PROMOTION

WHETHER OVERSEAS OR LOCAL - Gender-based discrimination in recruitment, hiring, work assignments, training, promotion and benefits shall be eliminated. No person shall be deprived of job training, employment or promotion on account of gender, age, ethnicity, religion and marital status.

SECTION 64. PROHIBITION AGAINST DEGRADING PROGRAMS OR

PUBLICATION – It shall be unlawful for any person or entity to produce or present reports, programs or advertisements in print, broadcast, electronic, film or other forms of media, including stage shows or presentations, that degrade or threaten the indigenous men,

women and children as inferior beings, or which in any manner subject them to humiliation and ridicule.

SECTION 65. PROHIBITED FUND RAISING INITIATIVES - All benefit dances and other fund-raising activities, wherein women or men are used as door prizes, substitutes for door prizes, a companion package for an award, prize for recognition in order to raise funds shall be strictly prohibited.

SECTION 66. CONTESTS WHICH DEGRADE PERSONS - It shall be unlawful to hold beauty contests and other similar contests which commodify, abuse, humiliate, and treat or degrade persons.

ARTICLE XIII APPLICABILITY OF PENAL STATUTES

SECTION 67. PENAL PROVISIONS - Any violation of the provisions of this ordinance shall be penalized by a fine not exceeding Five Thousand Pesos (Php 5,000.00), or imprisonment not exceeding one (1) year, or both, in the discretion of the Court.

ARTICLE XIV FINAL PROVISIONS

SECTION 68. REPEALING CLAUSE – All ordinances and other laws of local application, and rules and regulations inconsistent with the provisions of this Code are hereby repealed or modified accordingly.

SECTION 69. SEPARABILITY CLAUSE – If any portion or provision of this code is declared unconstitutional or invalid by any court of competent jurisdiction, part/s which is/are consistent with law, rules or regulation shall continue to be in full force and effect.

SECTION 70. SUPPLEMENTARY CLAUSE – On other matters not provided for in this Code, existing applicable laws and their corresponding implementing rules and regulations, executive orders and relevant issuances thereafter shall also become part of this Code.

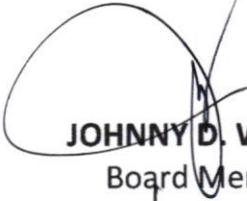
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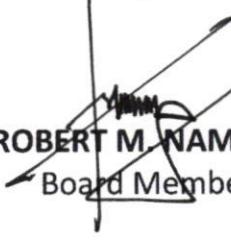
J. S. Cruz
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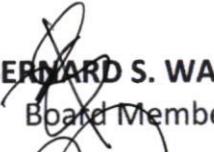
SECTION 71. IMPLEMENTATION OF THE CODE - The GFPS shall convene the TWG and Secretariat within 45 days from the approval of this amended code to make a draft of the IRR to be submitted to the Executive Committee for review and endorsement to the Sangguniang Panlalawigan for approval.

SECTION 72. EFFECTIVITY CLAUSE - This code shall take effect within 15 days upon its approval, subject to the compliance of publication and posting in accordance with the Local Government Code of 1991, as amended.

CARRIED.

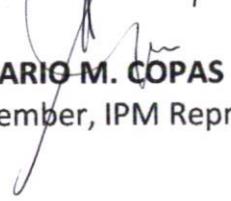

JOHNNY D. WAGUIS
Board Member


ROBERT M. NAMORO
Board Member


BERNARD S. WACLIN
Board Member


RUBEN E. PAOAD
Board Member


FERNANDO M. BALAO DAN, SR.
Board Member


SARIO M. COPAS
Board Member, IPM Representative

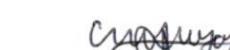

FLORENCIO V. BENTREZ
Board Member


JIM G. BOTIWEY
Board Member


APOLINARIO T. CAMSOL
Board Member


ROBERTO K. CANUTO
Board Member


NESTOR T. FONGWAN, JR.
Board Member, PCL President

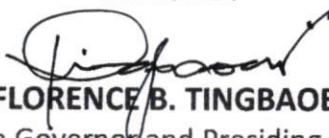

MELCHOR C. GUESEY
Board Member, LnB President

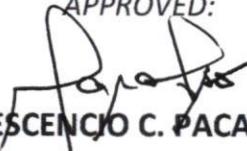
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I HEREBY CERTIFY that Provincial Ordinance No. 2018-242 was adopted during the 118th Regular Meeting of the 9th Sanggunian held on December 10, 2018, at the SP Session Hall, 2F Legislative Building, Capitol Compound, La Trinidad, Benguet


Atty. BRIAN J. CRISPIN
Secretary to the Sanggunian

ATTESTED:


FLORENCE B. TINGBAOEN
Vice Governor and Presiding Officer


APPROVED:
CRESCENTIO C. PACALSO
Provincial Governor

Date: FEB 08 2019