

**TITLE 15**  
**GENDER AND DEVELOPMENT AND REPRODUCTIVE HEALTH**

**Chapter I**

Compulsory Reproductive Health Education for Fishermen/Fisherfolks<sup>1</sup>

Section 1. This Ordinance shall be known as "Compulsory Reproductive Health Education for Fishermen/Fisherfolks Ordinance in the City of General Santos".

Section 2. General Santos City hereby declares its full support to the reproductive health policy of the national government which seeks to create an environment of participation of stakeholder in the health sector and the community to provide not only women and children but also the underserved groups such as men and adolescents with high quality reproductive health care.

The City of General Santos also protects the dignity of human person specifically that of women.

Section 3. No minor person shall be employed as crew or *pasahero* in any fishery vessel, defined under Section 4 hereof, in the City of General Santos.

Section 4. For purposes of this Ordinance, the following terms shall mean:

- A. Fishermen/Fisherfolk - shall refer to people directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources. Further, they, likewise, include any male or female worker whether employed directly by the fishing vessel operator or commercial fishing company or indirectly as "*pasahero*", one who receives a commission for every fish caught.
- B. Fishery Operator – one who owns and provides the means including land, capital, fishing gears and vessels, but does not personally engage in fishing. This shall include owner/operator of small fishing boats (with at least 10 crews or *pasaheros*) or large commercial fishing vessels, and small fishing vessels like bancas or pumpboats, the latter are better known as ‘traditional tuna handline fishing boats’.
- C. Fishing Vessel – any boat, ship or other watercraft equipped to be used for taking of fishery species or aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing, including, but not limited to, preservation, supply, storage, refrigeration, transportation, and/ or processing.
- D. Human Immuno-Deficiency (HIV) – refers to human immuno-deficiency virus that causes AIDS;
- E. Minors - any person under eighteen (18) years of age.
- F. Prophylactic - is a device (as a condom) for preventing venereal infection.
- G. Reproductive Health - is a state of complete physical, mental and social well being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. This implies that people are able to have a satisfying and safe sex life and that women and men attain equal relationships in matters related to sexual relations and reproduction.
- H. Reproductive Health Care - is the constellation of methods, techniques and services that contribute health and well being by preventing and solving reproductive health-related problems. The elements of reproductive health care include:

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<sup>1</sup>[Ordinance No. 11, Series of 2003.](#)

1. maternal, infant and child health and nutrition;
2. family planning and information;
3. prevention of abortion and management of its complication;
4. adolescent and youth health;
5. prevention and management of reproductive tract infection (RTIs), HIV/AIDS and other sexually transmitted infections (STIs);
6. elimination of violence against women and children;
7. education and counseling on sexuality and sexual health;
8. treatment of breast and reproductive tract cancers and other gynecological conditions;
9. male involvement and participation to Reproductive Health; and
10. prevention and management of infertility and sexual dysfunction.

- I. Sexually Transmitted Diseases (STDs) – are diseases acquired from sexual contact such as but not limited to gonorrhea, syphilis, trichomoniasis, chlamydia, genital herpes, genital warts, candidiasis, hepatitis B, bacterial vaginosis, scabies, pubic lice and HIV/AIDS;

Section 5. (A.) All fishery operators, defined under Section 3 (E) hereof, and/or commercial fishing companies shall conduct annual seminar on reproductive health to their fishermen in coordination with the City Field Health Services Department or any city accredited NGO. The seminar shall include topics on STD/HIV/AIDS, Men's Reproductive, and at least two other topics mentioned under Section 3A of this Ordinance. Such seminar shall be a prerequisite for the issuance/renewal of business permits to the operators by the Office of the City Mayor.

Likewise, the same shall include a 30-minute orientation lecture from Philippine Health Corporation and shall furthermore embrace discussion on the dignity of women as a human person and not as an object of pleasure.

(B.) All fisherfolks, who are not subject of the preceding provision shall, likewise attend the same seminar prescribed herein to be initiated and scheduled by the City Field Health Services Department.

Section 6. All fishermen/fisherfolks, defined under Section 3 (E) hereof, shall be required to attend a reproductive health seminar either sponsored by their respective companies or conducted by the City Field Health Services Department and/or Accredited NGOs.

The Certificate of Attendance of the seminars shall be a requirement in the issuance of barangay clearance to said fishermen/fisherfolks.

Section 7. No fisherman shall get into any fishing activity without first securing the required seminar and medical examination for that matter.

Section 8. The City of General Santos in partnership with the accredited NGOs, shall be responsible in sourcing out funds needed in the seminars and workshops.

Section 9. Prophylactic Materials shall be made available in all fishing vessels.

Section 10. All fishermen, whether employed in commercial fishing vessels or operators of bancas, shall undergo medical examination at the Social Hygiene Clinic (SHC) under the City Field Health Services Department or its duly authorized medical clinics and secure a health certificate as a requirement for employment: Provided that, those fishworkers involved in deep sea fishing shall undertake such examination every time their respective vessels dock at the port of the city.

For purposes of fisherfolks not employed by commercial fishing vessels, their health certificate shall be required prior to the issuance of fishing permits.

Section 11. Fishery operators shall not employ workers, without the latter first presenting the health certificate as required in the foregoing Section.

Section 12. The City Government of General Santos shall strengthen the Social Hygiene Clinic (SHC) through provision of sufficient equipment, reagents and supplies and adequate personnel.

Section 13. (A) Any fishery operator or his/her industry corporation found to have violated any provision of this Ordinance shall be meted out the following punishment, viz.:

- a. FIRST OFFENSE: a fine of ₱2,000.00;
- b. SECOND OFFENSE: a fine of ₱3,000.00;
- c. THIRD OFFENSE: a fine of ₱5,000.00;
- d. FOURTH OFFENSE: closure of the fishing industry corporation.

(B.) Any fisherman/fisherfolk found to have violated any provision of this Ordinance shall be meted out the following penalty, viz:

- a.) FIRST OFFENSE: Undergo another seminar on reproductive health to be conducted by Social Hygiene Clinic or any authorized NGO and a fine of ₱100.00;
- b.) SECOND OFFENSE: Undergo another seminar as provided under Section 7 hereof and a fine of ₱200.00;
- c.) THIRD OFFENSE: Application for any permit for that matter shall be denied/disapproved and a fine of ₱300.00.

## **Chapter II**

### **Contraceptive Self-Reliance Logistics Policy<sup>2</sup>**

Section 1. This Ordinance shall be known as “The Contraceptive Self-Reliance Logistics Policy for the City of General Santos”.

Section 2. For purposes of this Ordinance, the following terms are defined:

Contraceptive Self-Reliance – is a set of measures to assure that supplies for Family Planning services will continue to be provided for increasing number of current and potential users to address the unmet needs for Family Planning.

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<sup>2</sup>[Ordinance No. 08, Series of 2006.](#)

Contraceptives – are devices such as prophylactics used to prevent pregnancy and sexually transmitted infections (STIs), Intra-uterine Devices (IUDs), injectables and pills or oral tablets used likewise to prevent pregnancy.

Natural Family Planning – is an educational process of determining the fertile and infertile periods of a woman by observing physiological signs and symptoms of the menstrual cycle so that intercourse may be timed to avoid or achieve using the different methods such as Mucus/Ovulation (MM/OM), Basal Body Temperature (BBT), Symptothermal (STM), and Lactational Amenorrhea (LAM).

Marginalized group – refers to those persons who cannot afford to procure contraceptives.

Vulnerable group – refers to high risk groups such as Overseas Filipino Workers (OFWs), sex workers, seafarers, and other similarly situated women of reproductive age that are at risk of unplanned pregnancies and of contracting sexually transmissible diseases.

Sex Workers - refer to those persons who earn their living by providing sexual services.

Computed Consumption Forecast – refers to the projected consumption of contraceptives five years prior to year 2003.

Service Providers – refer to medical doctors, nurses, midwives who are trained on providing family planning services such as spacing of pregnancy, limiting of pregnancy, and achieving of pregnancy, and other health-related services; and barangay health workers who shall conduct information education campaign and counseling on the choice of Family Planning Methods including Natural Family Planning, and resupply of contraceptives.

Contraceptive Distribution and Logistics Management Information System (CDLMIS) – refers to the nationwide contraceptive delivery system that is operated and maintained by the Department of Health (DOH) that ensures adequate and continuous flow of supply of contraceptives to all the delivery sites and service facilities covered by CDLMIS, which includes Province/City Health Offices, Rural Health Units, Hospitals, other Government Offices, Non-Government Organizations, and affiliated industry-based clinics.

Section 3. The City guarantees the continued and adequate provision of contraceptives to ensure sustainability of the Family Planning Program.

Section 4. a) The City shall fully shoulder the shortfall of contraceptives resulting from the gradual phase out of donated contraceptives, subject to the following conditions:

a.1. Donated and locally procured contraceptives shall be intended for the general constituents providing priority access to the marginalized and vulnerable groups;

a.2. Donated and locally procured contraceptives shall be allocated to the Barangay Health Stations (BHSs) and the Main Health Centers (MHCs), except the General Santos City Hospital Services Office and lying-in centers, which shall provide their own fund allocation for contraceptives;

a.3. Intra-uterine Devices (IUDs) provided by the Department of Health (DOH) shall continuously be distributed to all Barangay Health Stations (BHSs), Main Health Centers (MHCs), General Santos City Hospital Services Office, non-government organizations (NGOs), and private clinics;

b) Funds to cover the cost of contraceptive procurement shall be appropriated based on the computed consumption forecast prepared by the City Field Health Services Office;

c) By the year 2008 onwards, the barangays shall contribute in the procurement of their own respective contraceptive needs; thus each barangay shall annually appropriate funds under its health program for the purchase of contraceptives;

d) Class A barangays shall bear fifty percent (50%) of their contraceptive needs, Class B barangays shall bear thirty percent (30%), and Class C barangays shall be fully subsidized by the city government;

For purposes of this policy, barangays shall be classified as follows, to wit:

- d.1. Class A barangays are those with an average income of Five (5) million pesos and above for the next preceding year;
- d.2. Class B barangays are those with an average income of One (1) million pesos and above for the next preceding year; and
- d.3. Class C barangays are those with an average income of less than One (1) million pesos for the next preceding year.

e) Barangays may adopt any or all of the following options to generate funds for the procurement of contraceptives, to wit:

- e.1. Client segmentation following the City Social Welfare and Development Office(CSWDO) guidelines;
- e.2. Cost recovery scheme; and
- e.3. Commodity revolving project with other entities.

f) The City shall require establishments for strict compliance of the implementation of Family Welfare Program (FWP) of the Department of Labor and Employment (DOLE) Order No. 56-03, series of 2003, specifically Section 6 thereof, which provides that:

- f.1. Establishments employing more than two hundred (200) workers in any locality shall form a Family Welfare Committee (FWC) through the assistance of the DOLE-Regional Offices;
- f.2. The Family Welfare Committee (FWC) shall be responsible for planning, organizing and implementing an in-plant family welfare program;
- f.3. The in-plant program shall focus on the ten (10) dimensions of the FWP;
- f.4. Employees are likewise urged to provide the necessary support, assistance and resources to the Family Welfare Committee (FWC) in the conduct of capacity building activities for labor and management leaders, members of the Family Welfare Committees (FWCs), plant clinic staff (nurses, midwives, and doctors), and peer educators; and
- f.5. Establishments with less than two hundred (200) workers are encouraged to establish/organize a Family Welfare Committee (FWC) and implement a family welfare program.

Section 5. The local government shall undertake the following activities to ensure proper administration:

- a) The City shall adopt the Contraceptive Distribution and Logistics Management Information System (CDLMIS);
- b) The City Field Health Services Office is hereby directed to modify the following existing CDLMIS forms:
  - b.1. Contraceptive Order Form (COF) that shall be accomplished by the Supply Officer in four (4) copies during its quarterly delivery run;
  - b.2. CDLMIS Inventory Report Form (CDLMISIRF) that shall be accomplished by the Supply Officer in four (4) copies wherein a copy

shall be given to the Department of Health (DOH) Central Office, Center for Health Development (CHD) Region 12, Family Planning Coordinator, and Supply Officer of the City Field Health Services Office every end of the quarterly run;

- b.3. Barangay Health Stations (BHSs) Monthly Worksheet Form (BHSMWF) that shall be accomplished by the BHS Midwife for ordering contraceptives from the Main Health Center (MHC) nurse for issuing contraceptives to the BHS midwives, and both shall keep a copy of the worksheet; and
  - b.4. Dispensed to User Record (DTUR) that shall be used to record all issuances of contraceptives made to family planning clients in the health facility every time a client gets his/her supply, thirty (30) days upon approval of this Ordinance.
- c) The City Field Health Services Office shall be responsible for the printing and provision of the modified forms to all health facilities at the district and barangay level;
  - d) Service Providers shall undergo formal training relative to the use of the various forms;
  - e) Within sixty (60) days upon the approval of this Ordinance, the City shall upgrade the information system and provide necessary equipment, software and human resources therefore; and
  - f) The Head of the City Field Health Services Office shall be responsible for the completion and submission of required reports.

Section 6. To ensure appropriate delivery of contraceptive supply, the hereunder actions shall be undertaken:

- a) The City shall adopt the Contraceptive Delivery Logistics Management Information System's (CDLMIS) distribution system through its Delivery Team. The Delivery Team composed of the Family Planning Coordinator as the delivery team leader, and Supply Officer, both of the City Field Health Services Office, and the Family Planning Coordinator of the City Population Management Office shall have the following specific functions:

Prior to delivery

The delivery team leader shall prepare the allocation list that shall be given to the Supply Officer.

During delivery

The delivery team shall conduct a physical count of stocks to ascertain defective and expired contraceptives at the Main Health Centers (MHCs), General Santos City Hospital Services Office, non-government organizations (NGOs), and private clinics. Thereafter, the team shall validate issuances versus stock on hand.

After delivery

After determining the stocks, the delivery team shall retrieve damaged and expired contraceptives. Moreover, the delivery team shall complete and submit the

required CDLMIS Inventory Report Form to the Department of Health (DOH) Central Office and Center for Health Development (CHD) Region 12.

- b) The Delivery Team shall follow a quarterly delivery schedule to Main Health Centers (MHCs), General Santos City Hospital Services Office, non-government organizations (NGOs), and private clinics;
- c) The Barangay Health Station (BHS) Midwife shall request monthly supply of contraceptives from the Main Health Center (MHC) Nurse.

Section 7. To guarantee adequate contraceptive supply, the City Field Health Services Office, Main Health Centers (MHCs), and Barangay Health Stations (BHSs) shall maintain an Authorized Stock Level (ASL) for pills or oral tablets, injectables and prophylactics at six (6), six (6) and two (2) months respectively; and shall further maintain a buffer or safety stock level for the same contraceptives at three (3), three (3) and one (1) month supply under the Contraceptive Distribution and Logistics Management Information System (CDLMIS).

Further, the City Field Health Services Office, Main Health Centers (MHCs), and Barangay Health Stations (BHSs) shall maintain an Authorized Stock Level (ASL) for Intra-Uterine Devices (IUDs) at six (6), six (6) and three (3) months supply respectively; and shall further maintain a buffer or safety stock level for the same at three (3), two (2) and two (2) months respectively.

In addition, cycle beads (CBs) and basal body temperature (BBT) thermometer used for natural family planning shall have an Authorized Stock Level (ASL) maintained at six (6) months respectively; and shall correspondingly have a buffer or safety stock maintained at three (3) months each.

Section 8. There shall be an appropriate space for storage of contraceptives at the City Field Health Services Office to ensure the quality of contraceptives and accountability thereof following proper storage guidelines.

In addition, nurses and midwives shall be responsible for the proper storage and management of contraceptive supplies in their respective areas.

Section 9. The consumption-based method of forecasting shall be used in determining the commodity requirement of the public. Other variables shall also be considered such as the average annual increase in pills and injectables, and population increase.

Section 10. The procurement of contraceptives shall be in pursuance to the Law on Procurement.

Section 11. To mobilize other resources for the procurement of contraceptives, the following scheme shall be adopted, to wit:

1. Participation of non-government organizations (NGOs) and private sectors;
2. Upgrading of health facilities to acquire Sentrong Sigla certification and Philippine Health Insurance Corporation accreditation; and
3. Acceptance of referrals for clients who opt permanent Family Planning Methods.

Section 12. Clients shall avail of contraceptive supplies at cost, and service fees under the following schedule:

Services	Service Fee
a) IUD Insertion	100.00
b) IUD Removal	100.00
c) IUD Check-up	50.00

In reference to section 4 (d and e), barangays shall have a five (5) to seven (7) percentage mark-up of the selling price of contraceptives. Further, barangays shall remit its respective share, the amount of contraceptives at cost, to the City government as its counterpart in the cost recovery.

### **Chapter III** Pre-Marriage Counseling Policy<sup>3</sup>

Section 1. The City Government of General Santos acknowledges the family as the basic unit of society and plays an important role in development. It recognizes the roles of couples and future parents in shaping the future of the family and it undertakes to uphold that parenting, as a basic responsibility of parents, should be strengthened. To reaffirm its commitment to promote and protect the value of family, it shall pursue and implement programs, projects and activities that are responsive to the needs of its constituents especially of the couples.

Section 2. To carry out the foregoing policies, the City Government of General Santos undertakes to formulate programs, projects and strategies among the marriage applicants, regardless of economic status, religious convictions, culture and ethnicity by:

- a. Providing the marriage applicants with complete and accurate information on marriage and relationship, maternal and child health, responsible parenthood, home management, laws and policies on family relations;
- b. Establishing protocols for the effective and efficient implementation of pre-marriage counseling program.

Section 3. For purposes of this Ordinance, the following terms shall mean:

- a. Pre-Marriage Counseling – is a counseling session which aims to provide couples with a basis for making informed and responsible decision about whether to marry or not;
- b. Couple Applicants – a man and a woman, aged 18 years old and above, who have formally applied for a pre-marriage counseling;
- c. Pre-Marriage Counseling Team – a team composed of members from City Population Management Office, City Social Welfare and Development Office, City Health Office, Local Civil Registrar’s Office, accredited NGOs, and the National Statistics Office;
- d. Kasalan ng Bayan/Barangay – refers to mass marriage ceremonies;
- e. Individual Voluntary Statement Form – a document duly signed by the marriage applicants, and attested to by the Barangay Captain or in-charge of the barangay declaring their free will to marry each other.

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<sup>3</sup>[Ordinance No. 08, Series 2001](#), [Ordinance No. 01, Series of 2004](#), and [Ordinance No. 06, Series of 2006](#), as repealed by [Ordinance No. 11, Series of 2007](#).



Section 4. There shall be organized in the City of General Santos a Pre-Marriage Counseling Team, hereinafter referred to as the "PMC Team", to be composed of the following:

- a. Representative from the City Population Management Office;
- b. Representative from the City Health Office;
- c. Representative from the Social Welfare and Development Office;
- d. Representative from the Local Civil Registrar's Office;
- e. Representative from Non-Government Organizations; and
- f. Representative from the National Statistics Office.

Membership of representatives from the City Health Office, City Social Welfare and Development Office, City Population Management Office in the PMC shall be mandatory and their presence is a requirement for the conduct of counseling sessions. The representative from the Population Management Office shall act as the leader of the team. Membership of NGO to the PMC shall be upon the recommendation by duly accredited Non-Government Organizations (NGOs).

Section 5. The PMC Team shall have the following functions:

- a. To conduct a one (1) day pre-marriage counseling seminar to couple applicants for marriage license whose ages fall within that which the Family Code has required to first undergo such pre-marriage counseling as prerequisite prior to the issuance of the necessary marriage license; and
- b. To formulate and issue rules and guidelines pertaining to the proper management and operation of pre-marriage counseling and other programs or activities relative to the proper conduct of pre-marriage counseling session, which shall include delineation of functions of every representative as to the specific topics each should undertake and discuss.

Section 6. To operationalize the Pre-Marriage Counseling Program and ensure the quality of services, members of the team should undergo training on Pre-Marriage Counseling. The following shall be the minimum qualifications of a pre-marriage counselor:

- a. Willing to undergo the training;
- b. Willing to serve as counselor for PMC sessions;
- c. With facility for oral communication;
- d. With good moral reputation;
- e. For health workers, must have attended a basic Family Planning Course and preferably have attended the Interpersonal Communication Skills (ICS) Course for service providers;
- f. Duly accredited by appropriate government agencies as pre-marriage counselors.

Section 7. All implementing Rules and Guidelines stated in the Joint Memorandum Circular No. 01, series of 2002, issued by the Department of Interior and Local Government, Department of Health, Department of Social Welfare and Development and Population Commission shall be adopted and, unless duly revoked by appropriate authority, shall form part of any later guidelines to be issued for by the PMC Team.

Section 8. The PMC Team representatives shall meet once every three (3) months or as deemed necessary to discuss matters affecting the PMC programs. Likewise, all pre-marriage

counselors from the different offices shall meet once every semester or as necessary to discuss PMC matters.

Section 9. The City Government of General Santos through the PMC Team shall formulate PMC Plan and budget following the prescribed form of the City Planning and Development Coordinator and City Budget Office for approval by the City Mayor.

Section 10. The PMC Team shall prepare the annual PMC accomplishment report following the format prescribed herein to be approved by the City Mayor.

Section 11. Upon registration for the Pre-Marriage Counseling Seminar, the couple applicant shall pay to the City Treasurer's Office the amount of One Hundred Fifty Pesos (₱150.00) for pre-marriage counseling services on regular schedule and Five Hundred Pesos (₱500.00) for special schedule which require an interpreter or because of time constraint to support PMC activities/needs. Should the couple applicants need an interpreter, the interpreter's fee shall be separately shouldered by such applicants.

Section 12. PMC registration and sessions shall be guided by the hereunder schedules:

- a. Registration shall be from Monday to Friday except on a holiday;
- b. The Regular Pre-Marriage Counseling Session shall be conducted thrice a week, every Tuesday, Wednesday and Thursday, from 8:00 a.m. to 12:00 noon and shall resume from 1:00 p.m. until 5:00 p.m. except on holidays;
- c. When the PMC schedule falls on a holiday, the PMC session shall be moved to Friday immediately following;
- d. In consideration to cultural differences, as when one of the couple is a foreigner and there is a need for an interpreter and because of time constraints, the counselors assigned by the different offices shall decide on the special pre-marriage counseling schedule the soonest possible time; and
- e. Where couple applicants fall on Section 15, paragraph B of this Ordinance, they shall be registered and be given priority in the schedule.

Section 13. To encourage interaction, the maximum number of participants shall only be fifteen (15) couples per session.

Section 14. The following steps shall be observed and the requirements to be established when applying for pre-marriage counseling seminar:

A. For Filipino Applicants

- (a.) All couples, who are all at least 18 years of age, applying for Pre-Marriage Counseling seminar must establish the following documents:
  - (1.) Official Receipt from the City Treasurer's Office as proof of payment of PMC Services;
  - (2.) Latest Community Tax Certificate (present year);
  - (3.) Duly accomplished Individual Voluntary Statement Form (IVSF) signed by the Punong Barangay Captain where they reside;
  - (4.) Certificate of Tree Planting or seedling donation duly issued by the Punong Barangay of the place where either of the applicants reside.

- (b.) The couple shall fill up the Application and Marriage Expectation Inventory Forms, one each for the man and the woman, where upon completion, it shall be submitted to the in-charge;
  - (c.) One (1) duly accomplished application form shall be left with the secretariat where the Marriage Expectation Inventory Answer Sheets shall be attached. The other copy of the application form shall be given to the couple which shall be presented to the PMC in-charge upon registration during the counseling schedule;
  - (d.) After registration, the couples shall be given their counseling schedule in accordance with Section 13, paragraph(b) and priority numbers which will be written on the application forms. The PMC in-charge shall affix their initials after the priority number.
- B. Filipino couple applicants where one or both is/are Overseas Filipino Worker(s), Seafarers, Members of the Armed Forces of the Philippines, Philippine National Police, and all those who are employed or residing outside the SOCSKSARGEN area:
- (a) Section 13, paragraph (b) hereof shall apply except that applicants shall be given priority schedule because of the nature of their work and the distance of their residence and/or employment, provided they will be able to produce any of the following documents which will be presented to the PMC in-charge upon registration:
    1. Valid company ID;
    2. Certificate of employment;
    3. Seafarer's book;
    4. Passport.
  - (b) Failure to produce any of the above documents, the applicants shall be included in the regular schedule.
- C. Couple applicants where one is a national of foreign country:
- (a) The Filipino applicant shall be at least 18 years of age and shall present the documents as stated in Section 15, paragraph A (a) hereof;
  - (b) The Filipino partner shall inform the secretariat at least two weeks prior to the arrival of the foreigner partner to give time for the secretariat to contact the pre-marriage counselors.

Section 15. The following shall be the procedures in acquiring PMC Certificate:

- (a) The couple shall present the accomplished application form in their possession for identification and confirmation of their schedule;
- (b) Couples shall fill-up the attendance sheets in four (4) copies. The same attendance sheets shall be provided to the PMC Team;
- (c) Except for the Individual Voluntary Statement Form, all other documents, upon verification, shall be returned to the applicants after the PMC Session;
- (d) In cases where the requirements are incomplete, the applicants are still allowed to join the seminar, however, their certificates shall be withheld.

Section 16. Kasalan ng Bayan/Kasalan ng Barangay (KNB) PMC. - The following requisites shall be observed in the conduct of *Kasalan ng Bayan/Kasalan ng Barangay Pre-Marriage Counseling*:

- (a) The barangay/church and other organizations requesting for Kasalan ng Bayan/Barangay PMC should have at least eight (8) couple applicants;
- (b) Two weeks prior to the activity, the requesting barangay/church and other organizations should send a written communication to the Head of Office of the City Social Welfare and Development Office, City Health Office, City Population Management Office and Local Civil Registrar's Office stating the schedule and venue of the PMC;
- (c) The names of the couple applicants should be submitted to the secretariat one (1) week prior to the PMC for listing;
- (d) For application, Section 15, paragraph A shall apply.

Section 17. Pre-Marriage Counseling Certificates. - The issuance of PMC Certificates shall be guided by the following policies:

- (a) All certificates shall have a control number. The same control number will be indicated in the attendance sheets corresponding the names of the clients;
- (b) All certificates shall be signed by the team counselors for the day before distribution;
- (c) Only on exceptional cases, such as but not limited to, when couple applicants fall on Section 15 (B) and 15 (C) of this policy, or when the couple applicants' stay in the Philippines is short, or when the marriage license is an essential requirement in a particular institution or agency, the certificate shall be released earlier bearing the signature of the counselor from the CPMO to expedite the approval of the marriage license. However, the couple applicants should complete the PMC Sessions within the posting period as required by law when applying for marriage license;
- (d) Only upon presentation to the Local Civil Registrar's Office of the completely signed PMC Certificate shall the marriage license be released;
- (e) Only the PMC in-charge or any authorized member of the secretariat shall release the PMC Certificate;
- (f) In case of lost certificates, a certification shall be issued in lieu of the original copy upon presentation to the secretariat of an Official Receipt paid at the City Treasurer's Office for the purpose. The certification shall indicate the name, address, date of counseling and control number of the couple applicants;
- (g) The PMC Certificate has no expiration date.

Section 18. Couple Applicants on a "Waiting List". - When a couple failed to be accommodated on a particular PMC session for the day and registered on a waiting list, the couple may be accommodated on the PMC session for the day under the following conditions:

- (a) Where there exist a vacant slot because of absence or late arrival of applicants, and where the maximum number of participants for every session is not yet attained, couples who are taking chance shall be accommodated;
- (b) Couple applicants who were registered ahead of time shall be prioritized.

Section 19. Late Applicants During their Seminar Schedule. - Applicants who came in late during the scheduled PMC session may still be accommodated under the following circumstances:

- (a) Couples who arrived later than the agreed schedule shall be marked absent and shall be given the option to be transferred to a later PMC session schedule or be on the "wait list";

- (b) The vacant slots shall be given to applicants who applied for PMC counseling session ahead of time.

Section 20. Absent Applicants/Participants During their Seminar Schedule. - Applicants who are absent during the scheduled PMC session may be accommodated to another PMC session date under the following circumstances:

- (a) In case of absence of the applicants during their scheduled session, their schedule shall be transferred to the immediately succeeding PMC seminar or be placed on the wait list upon appearance or coordination with the secretariat by either one of the would-be couple;
- (b) The vacant slot shall be given to registered couples who were scheduled ahead of time;
- (c) If a couple or a partner missed a session, they or she/he shall be included in the next PMC session.

Section 21. Standards and Attendance of Pre-Marriage Counselors. – To ensure the quality delivery of the PMC program, PMC counselors shall:

- (a) Comply with Section 3(a) of this Ordinance, complete dissemination of the contents of the PMC Manual, and mandatory attendance to a particular PMC session; and
- (b) In case of absent counselors, their reliever shall take over. Where the assigned counselor and reliever are absent, the secretariat shall refer the case to the supervisor for proper action.

Section 22. Performance Evaluation Report (PER). - The PMC activity shall be included in the City's Standard Monitoring Tool, as such:

- (a) The immediate supervisors shall ensure that the pre-marriage counseling activity shall be included in the Performance Evaluation Rating Form (PERF), or its equivalent, of the pre-marriage counselors;
- (b) A progress report shall be submitted by the secretariat to the head of offices of the PMC Team as one of the basis of the performance of the pre-marriage counselors.

Section 23. All government employee/s who fail to comply with the provisions stated herein shall be penalized subject to the Civil Service Rules and Regulations.

Section 24. Repealing Clause. Ordinance No. 08, series of 2001, Ordinance No. 01, series of 2004, and Ordinance No. 06, series of 2006 are hereby repealed. All other ordinances, resolutions, memoranda, orders and other issuances inconsistent with the provisions of this Ordinance are hereby repealed.

## **Chapter IV** Reproductive Health Code<sup>4</sup>

### ARTICLE 1. TITLE AND GENERAL POLICY

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<sup>4</sup>[Ordinance No. 09, Series of 2007.](#)

Section 1. This ordinance shall be known as The General Santos City Reproductive Health Code.

Section 2. The City Government of General Santos shall adopt an integrated and comprehensive policy on reproductive health in line with its pursuit of human development that values human dignity and affords full protection to people's rights, especially of women, children, young people and families.

Moreover, the City recognizes and guarantees the promotion of gender equality and equity and women's empowerment as a health and human rights concern. The advancement and protection of women's human rights and male participation and involvement in reproductive health shall be central to the efforts of the City.

The policy upholds the human rights of all persons including the right to equality and equity, the right to development, the right to reproductive health, the right to education and the right to choose and make decisions for themselves in accordance with their religious convictions, cultural beliefs and the demands of responsible parenthood.

The city shall ensure the provision of reproductive health care services to its people regardless of age, sex, gender identity, status, religious convictions, and culture or ethnicity.

The policy likewise guarantees universal access to safe, reasonable and quality reproductive health care services and relevant information thereon even as it prioritizes the needs of women and children, among underprivileged sectors.

Section 3. This Code specifically aims to:

- (a) Provide the people of General Santos City with timely, complete and accurate information and education on reproductive health regardless of sex, gender, age, status, religious convictions, and culture or ethnicity;
- (b) Provide couples and individuals access to safe, reasonable and quality reproductive health care services, fully respecting their sexual and reproductive health and rights;
- (c) Establish the planning, implementation, monitoring and evaluation of appropriate and effective reproductive health care programs at the city and barangay levels;
- (d) Eradicate discriminatory practices, laws, and policies that infringe on a person's exercise of sexual and reproductive health and rights.

Section 4. For purposes of this Ordinance, the following terms shall mean:

- (a) Reproductive Health (RH) – the state of complete physical, mental and social well being, and not merely the absence of disease or infirmity in all matters relating to the reproductive system and to its functions and processes;
- (b) Reproductive Health Care – the access to full range of methods, techniques and services that contribute to reproductive health and well being by preventing and solving reproductive health-related problems. It also includes sexual health, the purpose of which is the enhancement of life and personal relations. Using the Life-Cycle Approach as a framework, the elements of reproductive health care include but not limited to:
  - I. Maternal, child health and nutrition;
  - II. Family planning information and services;

- III. Prevention and management of Reproductive Tract Infections (RTIs), Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV and AIDS), and other Sexually Transmitted Infections (STIs);
  - IV. Adolescent and Youth Health Services;
  - V. Elimination of Violence Against Women and Children;
  - VI. Education and Counseling on Sexuality and Sexual Health;
  - VII. Prevention of Abortion and Management of Post-abortion and its complications;
  - VIII. Prevention and treatment of infertility and sexual dysfunction;
  - IX. Treatment of breast and reproductive tract cancers and other gynecological conditions; and
  - X. Male involvement and participation in reproductive health.
- (c) Reproductive Rights - the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. This also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence.
  - (d) Life Cycle Approach – refers to age appropriate reproductive health care service delivery from “womb to tomb”. This includes services for the pregnant mother, infants, children, adolescents, reproductive age, and the elderly.
  - (e) Violence Against Women and Children – violence against women refers to any act of gender-based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women and children, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life and violence against children includes the commission of all forms of abuse, neglect, cruelty, exploitation, violence, and discrimination and all other conditions prejudicial to their development.
  - (f) Responsible Parenthood – couple’s will and ability to respond to the need and aspirations of the family.
  - (g) Reproductive Tract Infections (RTIs) – include Sexually Transmitted Infections (STIs), Sexually Transmitted Diseases (STDs) and other types of infections and diseases affecting the reproductive system.
  - (h) Infertility - Inability of the couple to reproduce offspring.
  - (i) Sexual Dysfunction - Also referred to as sexual problems or sexual malfunction, is defined as difficulty during any stage of the sexual act (which includes desire, arousal, orgasm, and resolution) that prevents the individual or couple from enjoying sexual activity.
  - (j) Family Planning - a program that enable couples and individuals to decide freely and responsibly the number and spacing of their children, to have the information and means to do so, to have informed choice and access to full range of safe, effective and approved family planning methods.
  - (k) Adolescents - are persons aged between 10 and 19 years.
  - (l) Youth – are persons aged between 15 - 24 years old.
  - (m) Young people - are adolescents and youth aged 10 to 24 years old.
  - (n) Reproductive Health and Sexuality Education – the process of acquiring complete, accurate and relevant information in all matters relating to the reproductive system, its functions and processes and human sexuality, and forming attitudes and beliefs about sex, sexual identity, interpersonal relationships, affection, intimacy and gender roles. It also includes developing the necessary skills to be able to distinguish between facts and myths on sex and sexuality, and critically evaluate and discuss the moral, religious, social and cultural dimensions of related sensitive issues.

- (o) Adolescent, Youth and Young People's Sexuality – refers to the reproductive system, gender identity, values or beliefs, emotions, relationships, and sexual behavior of adolescent, youth and young people.
- (p) Male Involvement and Participation - the involvement and participation of men in all areas of sexual and reproductive health.
- (q) Committee – refers to the General Santos City Reproductive Health Committee (GSC-RHC).
- (r) Annual Reproductive Health Accomplishment Report – refers to a written summary of accomplishments of Reproductive Health programs and projects to serve as a self-assessment tool for the city government agency concerned in determining the level of implementation of these programs and projects and formulate measures towards program efficiency, effectiveness and impact.
- (s) Annual Integral Reproductive Health Plan (AIRHP-1) – refers to a set of Reproductive Health priority programs, projects, and activities complete with a detailed intended outcome (e.g. an increased understanding of sexually transmitted infections (STIs) and diseases (STDs) of five (5) Barangay Calumpang Lying-in Center staff) and the corresponding budget proposals.

Section 5. This Chapter defines and governs the implementation of Reproductive Health in the City. No Reproductive Health policy or program which is inconsistent with the provisions hereof shall be passed upon or be implemented in the City.

Section 6. The city government shall ensure the availability and accessibility of medical and psychological basic needs to all pregnant women regardless of age, economic and civil status, culture and ethnicity.

- a. Prenatal Care Services within the entire pregnancy – shall consist of the following but not limited to:
  - i. At least five (5) pre-natal check-ups with at least one examination undertaken by a physician
  - ii. Full course of tetanus toxoid immunization
  - iii. Laboratory tests
  - iv. Ultrasound
  - v. Information, Education and Counseling on safe motherhood, nutrition and child care.
- b. Safe Delivery – provision of facilities and services that can ensure the safety of the mother and her child. The delivery, including care for obstetric complications and emergencies, shall be attended by a professional skilled birth attendant.
- c. Post-Partum Care - provision of post delivery follow-up services up to the 6<sup>th</sup> week to monitor the initiation of breastfeeding, progress of the involution period, and psychological state of the mother.
- d. Post-Natal Care - provision of after birth follow-up services to monitor the condition of the child until the 6<sup>th</sup> week for normal deliveries or longer depending on the newborn screening and assessment.

Section 7. The city government shall ensure the availability and accessibility of basic child health services such as but not limited to the following:

- a. New born screening and assessment
- b. Breastfeeding Education
- c. Full Immunization
- d. Deworming



- e. Weight monitoring
- f. Micro-nutrient supplementation

Section 8. Family Planning program and services shall be accessible, affordable and available to all, regardless of sex, age, status, religious convictions, and culture or ethnicity, based on the following pillars:

- a. *Respect for Life - the conduct of programs and services that shall emphasize the promotion and protection of the life of the mother and child.*
- b. *Responsible Parenthood - program and services to be conducted that shall encourage and facilitate the recognition by the couple of their right and duty to determine the desired number of children they may have and when they might have these children.*
- c. *Birth Spacing – information, education and medical and psychological services shall guide couples to decide to have children when they are both physically and emotionally ready to raise and rear them.*
- d. *Informed Choice - the conduct of programs shall provide accurate information that facilitates decision-making of the couple and individual on family planning based on freedom of choice and voluntary decision respecting their moral, cultural and spiritual beliefs.*

Section 9. In consonance with the Contraceptive Self-Reliance Policy of General Santos City, the city government shall ensure the availability and continuity of family planning supplies and services as provided for in the Contraceptive Self Reliance Policy under Ordinance 08, series of 2006.

Section 10. The month of August of every year shall be the Family Planning Month celebration in the City of General Santos, with August 1 as Family Planning Day (FPD) in consonance with the national FP day celebration. No other health related celebrations in the city shall be held on the same day with the Family Planning Day celebration.

Section 11. The City Government shall address the health needs of young people regardless of sex, gender, status, religious convictions, and culture or ethnicity and shall provide the following but not limited to:

Services for Pregnant Young Women shall be made available in government health facilities to meet young women's needs, enhance their health, and improve birth outcomes. Young women are encouraged to obtain adequate prenatal and postnatal care, with emphasis on breastfeeding, infant care and child spacing.

Reproductive Health Services for Young People emphasizing prevention of early pregnancy and STI, HIV and AIDS, counseling and treatment of other reproductive health concerns shall be provided. Program may include discounted medical fees, flexible service hours, outreach activities, access to accurate information and education through the conduct of trainings, seminars, workshops, fora, symposia and focus group discussions.

Capability Building for Young People to promote awareness, knowledge, skills and healthy sexual practices through the conduct of trainings and workshops on peer counseling and education; leadership and life skills training and seminars; information, education and communication such as fora, symposia, focus group discussions on Responsible Sexuality, Understanding Adolescent and Young People, Prevention of Teenage Pregnancy, Sexually Transmitted Infections and Drug Abuse shall be provided.

Selection, Training and Deployment of Health Workers shall be enhanced to promote health seeking behavior among young people.

Protocols, Guidelines and Standards on Reproductive Health Services for Young People shall be formulated to govern service providers to avoid subjective and judgmental approach.

Curriculum Reforms shall be the integration of reproductive health elements in the related subject areas. The reforms shall be made through consultations, need assessment and evaluation. For effective implementation, the teachers shall be given enhancement training and continuous education on the subject.

Section 12. The City Government shall conduct programs and services that shall eliminate violence against women and children in relation to reproductive health but not limited to Information, Education and Communication Activities, Psychosocial services, Medical services and Referral services.

Section 13. There shall be Reproductive Health and Sexuality Education that may be taught by teachers to schoolers from Grade 1 up to College with appropriate topics and methodology in accordance with the educational level.

- a. The City, through the Reproductive Health Committee in coordination with Department of Education, Commission on Higher Education of Region XII and other educational institutions, shall monitor the integration and implementation of the RH and Sexuality Education which shall include the following:
  - Reproductive Health
  - Attitudes, beliefs and values on sexual development, sexual behavior, sexual health and abstinence before marriage
  - Responsible Parenthood
  - Awareness, prevention and treatment of Sexually Transmitted Infection (STI), HIV and AIDS
  - Gender and Violence against Women and Children
- b. The City Government shall encourage the Technical Education and Skills Development Authority (TESDA) to integrate Reproductive Health and Sexuality Education in its programs.
- c. The City Government through the Sangguniang Kabataan in coordination with the Reproductive Health Committee and concerned NGOs shall organize and provide Reproductive Health and Sexuality Education for out-of-school youth.

Section 14. The City Government shall promote Responsible Parenthood Education/Counseling through the full implementation of programs and services on Pre-Marriage Counseling.

Applicants for marriage license shall undergo responsible parenthood counseling thru their respective church affiliations or spiritual advisers. The RH Committee shall accredit responsible parenthood counselors and shall update and submit the list of accredited responsible parenthood counselors to the Local Civil Registrar.

Section 15. The City Government shall ensure the conduct of gender sensitive programs for prevention of abortion including but not limited to:

- a. Conduct of Information, education and communication (IEC) activities at all levels.
- b. Production and distribution of information, education and communication materials.
- c. Counseling on prevention of abortion.
- d. Identification of high risk women for IEC and counseling.

The Department of Health Administrative Order 45B shall be the guideline for the prevention and management of abortion complications.

Section 16. The City Government shall ensure the provision of treatment and management of post-abortion regardless of the cause, age, status, occupation, religious convictions, and culture or ethnicity.

The City Government shall provide facilities that cater to the treatment and management of post abortion complications. Furthermore, health service providers shall treat the women who had abortion with dignity, confidentiality and non-judgmental attitude.

Section 17. The City Government shall provide comprehensive programs and services for the prevention and treatment of Infertility and Sexual Dysfunctions including but not limited to:

- a. IEC
- b. Screening and Assessment
- c. Management of Infertility and Sexual Dysfunction
- d. Counseling
- e. Referral

Section 18. The City shall ensure to have comprehensive programs and services in the prevention and detection of Breast Cancers, Reproductive Tract Cancers and other Gynecological conditions including but not limited to:

- a) IEC
- b) Detection and Assessment
- c) Management of Breast Cancers, Reproductive Tract Cancers and other Gynecological conditions
- d) Counseling
- e) Referral

Section 19. The City Government thru the RH Committee shall develop and implement male-focused programs on reproductive health.

Section 20. The City Government shall ensure the provision of specific sexual and reproductive health services for men including but not limited to:

- a.) Cancer detection (prostate and testicular cancer)
- b.) Infertility
- c.) Erectile and other sexual dysfunctions
- d.) Family planning
- e.) Counseling
- f.) Referral
- g.) Information and education campaign

Section 21. The City Government shall install mechanisms to organize males at the community level to become partners and advocates of reproductive health.

Section 22. The City Government shall celebrate the month of June as Men's Month where issues and concerns relative to the advancement of the involvement and participation of men on reproductive health will be advocated.

The celebration of Men's Day shall be on the 1<sup>st</sup> Monday of June. No other celebrations in the city shall be held on the same day with the Men's Day.

For effective implementation of this article, the Gender and Development Code of General Santos City and other pertinent laws shall be observed.

Section 23. There shall be constituted a local Reproductive Health planning, monitoring, and evaluation committee for the City to be named hereinafter as the General Santos City Reproductive Health Committee (GSC-RHC). It shall consist of the following members, to wit:

- City Mayor
- First District Congressional Office
- Chair, SP Committee on Health
- Chair, SP Committee on Women, Children and Family Relations
- Chair, SP Committee on Youth (SK Federation President)
- Chair, SP Committee on Barangay Affairs (ABC President)
- Department of Education
- Department of Labor and Employment
- Philippine National Police - Gen. Santos City Police Office
- City Health Office
- City Population Management Office
- City Social Welfare and Development Office
- City Planning and Development Office
- City Budget Office
- City Public Information Office
- Youth Affairs Development Office
- Three (3) LGU Accredited NGOs implementing RH Programs to be appointed by the City Mayor upon recommendation by the RH Committee

All representatives to the RH Committee shall be permanent and shall either be the incumbent head of office or permanent alternate of the institution being represented. The City Mayor heads the RH Committee and shall designate an Action Officer from any of the City Government members.

Section 24. The Committee shall have the following functions, to wit:

- i. Prepare the City's Annual Integral Reproductive Health Plan (AIRHP-1) pursuant to provisions of Section 4 of this Ordinance.
- ii. Prepare and submit to the Sangguniang Panlungsod, City Planning and Development Office and City Health Office an annual Reproductive Health Accomplishment Report.
- iii. Monitor the efficient and effective implementation of Reproductive Health programs and projects.
- iv. Recommend to the Sangguniang Panlungsod for legislation such other prospective policies not provided for under this Ordinance as are deemed necessary to the continuous, efficient, and effective operation of Reproductive Health programs in the City.

- v. Generate various statistics on the Reproductive Health of local women, more importantly the women of indigenous cultural communities and the indigent women.
- vi. Hold consultative meetings with concerned City Health and City Hospital staff, the barangay officials, and other concerned employees of the city government on matters pertaining to the preparation of the City's Annual Integral Reproductive Health Plan (AIRHP-1).
- vii. Prepare Annual or Supplemental Budget for the Committee.
- viii. Screen and select representative/s to conferences, seminars, trainings and other related RH activities.
- ix. Formulate a training design for RH orientations, seminars and trainings pursuant to Section 35 of this Code.
- x. Exercise such other functions expressly granted, those necessarily implied therefrom, as well as functions necessary, appropriate, or incidental to the efficient and effective implementation of the provisions of this Ordinance.

Section 25. The RH Committee Chair shall take full responsibility to ensure the prompt submission of the AIRHP-1 to the proper city government offices for the preparation of the Annual or Supplemental Budget.

Section 26. Oversight Committee. The Committee shall be primarily responsible to oversee the efficient and effective implementation of the provisions of this Ordinance.

Section 27. Within sixty (60) days after this Ordinance shall have taken effect, the Committee shall meet to fix, by an Internal Resolution, the day, time and venue of regular meetings. The meetings shall be held at least once every two months.

When public interest so demands, special meetings may be called by the Chair or by a majority vote of the members of the Committee.

In the absence of the Chair and/or Action Officer, the Committee may select from among its members a temporary Chair.

Section 28. In the interest of public service, the Committee shall be authorized to maintain a secretariat to assist and facilitate its order of meetings and all other official responsibilities and transactions thereof.

The secretariat shall be composed of at least three (3) but not more than five (5) City Government staff from the City Health Office (CHO)'s technical divisions and City Population Management Office (CPMO) with the City Health Office as the lead secretariat.

The City Mayor shall issue a memorandum designating the members of the aforesaid secretariat.

Section 29. On its first regular meeting and within sixty (60) days thereafter, the Committee shall adopt its own rules of procedure. Such rules of procedure shall provide for the following:

- i. The organization of the Committee including the specific distribution of tasks to each member thereof, if any there be, for the efficient and effective fulfillment of the Committee's functions;

- ii. The agenda for each meeting;
- iii. The plan-making, monitoring, and evaluation process;
- iv. The voting procedures including the conduct of members during meetings;
- v. Quorum; and
- vi. Such other rules as the Committee may adopt.

Section 30. The functions and responsibilities of the Secretariat shall be to:

- a. Coordinate plans and activities of the Committee.
- b. Serve as the center of communication and documentation.
- c. Keep all the records of the Committee.
- d. Facilitate the conduct of the meetings of the Committee.
- e. Perform other secretariat functions as may be assigned by the Committee.

Section 31. Immediately after this Ordinance shall have taken effect, the City Government shall appropriate funds to be taken from the general fund and other sources necessary for the efficient and effective operations of the Committee and implementation of the provisions hereof.

The RH Committee shall also be provided with financial support for the conduct of advocacy activities, and attendance to seminars, conferences, and trainings.

The said budget shall be allocated under the account of the City Health Office.

Section 32. All concerned schools, offices, establishments or companies, departments and agencies in the public and private sectors, including barangay councils of the City of General Santos shall initiate reproductive health orientation for new employees and every two years thereafter for old employees. Non-compliance of this provision shall require the heads of the concerned parties to pay a fine of Php 5,000.00 after issuance of non-compliance warning from the Committee within a period of three months.

RH orientation/seminars/trainings shall be conducted by any of the following:

- a. City Health Office;
- b. City Population Management Office;
- c. City accredited/recognized RH NGOs.

The Certificate of Attendance shall be signed by the training agency and the City Health Office.

Section 33. All RH related health facilities such as clinics, birthing homes or lying-in centers shall be established, maintained, and operated in compliance with the minimum basic requirements set by the Department of Health and/or Philippine Health Insurance Corporation. They shall submit a standard monthly report to the City Field Health Services Department.

Violation of this provision by private health facilities shall subject the registered owner to a fine of Php 5,000.00 and/or suspension of the business permit or license to operate until compliance of the requirement.

## **Chapter V**

## Gender and Development Code<sup>5</sup>

### ARTICLE I - BASIC PRINCIPLES

Section 1. This Ordinance shall be known as “The Gender and Development Code of General Santos City”.

Section 2. A. Statement of Policy. - (1) The City Government of General Santos upholds the national and international recognition of women as full and equal partners of men in development and nation building. It undertakes to enhance women’s full potentials, uplift their status and lead to the improvement of their quality of lives. Towards this end, it shall pursue and implement gender-responsive development policies; design an integrated gender and development support system; and ensure that all forms of discrimination of women and children be monitored and addressed;

(2) In the pursuit of Gender and Development (GAD), the city shall undertake gender mainstreaming at all levels, thereby assuring the promotion of women empowerment to enable the local women including the women of indigenous cultural communities become active agents and participants of development, and not just mere beneficiaries; further enabling them to make independent decisions based on their own views and perspectives; and, furthermore allowing them to fully and equally make use of available information, technology, goods, and services;

(3) In conjunction, the city shall continue to work towards the strengthening of its subsisting partnership with Non-Government Organizations (NGOs), People’s Organizations (POs), Private Sector (PS) and charitable institutions and foundations that advocate Gender Equality, Sexuality, and Reproductive Health;

(4) The city shall also involve the barangays in the formulation of the city’s GAD Plan through the continuing conduct of consultative meetings with the barangay officials and the barangay residents for the purpose of fully integrating GAD concerns into the whole development process, and mainstreaming and institutionalizing Gender and Development;

Moreover, the city specifically re-affirms its commitment to promote and protect the following rights of women and children, to wit:

- a. 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. Right to freely and fully participate individually or collectively in the political processes of their communities and nations;
- c. Right to the means for assuring their economic welfare and security;
- d. Right to the necessary knowledge and means for the full exercise of their respective choices according to their beliefs and preferences;
- e. 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. Right to an adequate, relevant and gender fair education throughout their lives, from childhood to adulthood;
- g. Right to adequate nutrition and proper health care;

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<sup>5</sup>[Ordinance No. 04, Series of 2007](#), as amended by [Ordinance No. 12, Series of 2010](#).

- h. Right to humane living condition;
- i. 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. Right to equality before the law in principle as well as in practice.

B. Policy Directions. - To carry out the foregoing policies, the City Government of General Santos undertakes to formulate programs, projects and strategies, among others, that will:

1. Bolster the implementation of all subsisting moral, national, international, general, as well as special statutes, rules and regulations, memoranda, circulars, and other issuances promoting Gender Equality, Sexuality, Reproductive Health, and Reproductive Rights;
2. Mainstream gender concerns in the formulation of sectoral development plans, policies, and activities;
3. Intensify subsisting gender-sensitivity awareness campaigns and programs on gender issues and concerns;
4. Strengthen Government Organization, Peoples' Organization, Non-Government Organization, And Private Sector cooperation to maximize the effectiveness of programs and services addressing Gender and Development concerns;
5. Support and increase the participation of grassroots women including the women of indigenous cultural communities in planning, implementation, monitoring, and evaluation of development programs;
6. Recommend appropriate curricula that are gender-sensitive at all academic levels;
7. Provide gender responsive relief and rehabilitation programs with special focus on women's and children's needs;
8. Involve men in family planning programs, health and child care and nutrition concerns and engage them in projects that will enhance the well-being of the family;
9. Educate the human resources of commercial establishments, schools, other government agencies and the local mass media and advertising agencies so that they will promote gender sensitivity in their respective fields of endeavor;
10. Set up crisis intervention centers and shelters in the city of General Santos for victims of violence against men, women and their children and other social conflicts especially the survivors of violence against women and children (VAWC);
11. Reinforce family values and rid the family of all forms of gender inequalities and violence arising from Gender Role Stereotyping;
12. Establish capability-building programs among women in the locality so as to enable them to gain confidence to participate in the community projects and even in making their opinions heard by the decision-making bodies;
13. Establish the necessary mechanisms 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. For purposes of this ordinance, the following terms shall mean:

3.1. Gender and Development (GAD) Concepts and Principles (including GAD Planning and Budgeting)

- a. Gender – refers to roles, attitudes and values assigned by culture and society to women and men. These roles, attitudes and values define the behaviors of women and men



and the relationship between them. They are created and maintained by social institutions such as families, government, communities, schools, churches, and media. Because of gender, certain roles, traits and characteristics are assigned or ascribed distinctly and strictly to women or to men.

- b. Gender and Development (GAD) – is a development perspective that recognizes the unequal status and situation of women and men in the society. Women and men have different development needs and interests as a result of said inequality, which is institutionalized and perpetuated by cultural, social, economic and political norms, systems and structures.

As a development approach, GAD seeks to equalize the status and condition of and relation between women and men by influencing the processes and outputs of policy making, planning, budgeting, implementation, and monitoring and evaluation so that they would deliberately address the gender issues and concerns affecting the full development of women.

- c. Gender Equality – means that women and men enjoy the same status and conditions and have equal opportunity to realize their potentials and to contribute to social, political, economic and cultural development.
- d. Gender Equity – means giving opportunities to those who have less and those who are historically and socially disadvantaged based on their needs for them to operate on a level playing field.

Focusing on the needs of women does not mean discriminating against men or putting them at a disadvantage.

- e. Gender Equality and Women’s Empowerment Framework (GEWEF) – Gender equality and women’s empowerment are attained through an interconnected cycle of strategies and interventions progressing along five levels: welfare, access, conscientization (consciousness-raising), participation, and control.

Programs, projects and activities are assessed using all five levels as parameters redesigned to address the welfare, access, conscientization, participation and control levels for them to truly advance gender equality and women’s empowerment.

- f. Gender Mainstreaming – is the strategy to work for women’s empowerment and gender equality. It is a process of analyzing existing development paradigms, practices and goals; assessing the implications for women and men of existing and planned actions in legislation, policies, programs, projects and institutional mechanisms; and transforming existing social and gender relations by consciously integrating gender concerns in development goals, structures, systems, processes, policies, programs and projects.

It means raising people’s GAD awareness and building GAD-related capabilities; putting in place policies, structures, systems, and mechanisms that would facilitate and institutionalize the pursuit of gender equality and women’s empowerment.

- g. Women Empowerment – is 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.

- h. Gender Analysis - a systematic way of analyzing and comparing (a) the differential perspectives, roles, needs and interests of women and men in a project area or institution; (b) the relations between women and men pertaining to their access to, and control over resources, benefits and decision-making processes; (c) the potential differential impact of program or project intervention on women and men, girls and boys; (d) social and cultural constraints, opportunities, and entry points for reducing gender inequalities and promoting more equal relations between women and men.
- i. General Santos City GAD Committee – is the group of people tasked to catalyze and facilitate the institutionalization of gender mainstreaming and women’s empowerment in the City of General Santos. It is responsible for the advocacy, coordination, guidance and monitoring of the General Santos City’s GAD plan and GAD-related programs, activities and projects.
- j. Gender Issues – are problems and concerns that arise from the unequal status of women and men including the differential characteristics, roles and expectations attributed by society to women and men.
- k. GAD Plan and Budget – is a systematically designed set of programs, projects and activities with corresponding budget carried out by the City Government of General Santos over a given period of time to address the gender issues and concerns in its constituents.
- l. Gender Training - is a strategy to infuse and institutionalize gender concerns within the organization or, in other words, to put policy mandates into practice. But significantly, gender training not only pulls into focus gender issues and women’s interests, it also improves the general way in which an organization operates.
- m. Practical Gender Needs - have to do with what people need to perform their current roles more easily, effectively or efficiently and they can usually be identified by people themselves.
- n. Strategic Gender Needs - are concerned with changing the subordinate (disadvantaged) position of women in society.

### Protecting Women’s and Their Children’s Human Rights

#### 3.2. Concepts on Crimes and Offenses against Women and Children.

- o. Work, Education or Training-related Sexual Harassment - is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

- p. Violence Against Women and their Children - refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or a woman with whom the person has or had a dating or sexual relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.
- q. 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 the victim 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.

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as "trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph.

### 3.3 Other Related Concepts:

- r. Reproductive Health - is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that responsible people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so. Implicit in this last condition are the right of access to safe, effective, affordable and acceptable methods of family planning of their choice, as well as other methods of their choice for regulations of fertility which are not against the law and not dangerous to health, and the right of access to appropriate health care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having healthy infant.
- s. Reproductive Right - embraces certain human rights that are already recognized in national laws, international human rights documents and other consensus documents. These rights rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the numbers, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes their right to make decisions concerning reproduction free of discrimination, coercion and violence, as expressed in human rights documents.
- t. Sexism in language - is the use of language which devalues members of one sex, almost invariably women, and thus fosters gender inequality. It discriminates against women by rendering them invisible or trivializing them at the same time that it perpetuates notions of male supremacy.

- u. Non-sexist or unbiased language or gender-fair language - is gender neutral. It does not exclude either by direct reference or implication of one gender or the other. Words need to be chosen carefully to eliminate inappropriate implications.
- v. Persons in crisis – women, children and men who are physically, sexually abused eventually resulting in emotional, mental and psychological dysfunction.
- w. Commodification of persons – is a practice which puts men, women and children in a subordinated situation resulting in their treatment as objects of consumption. As such, they are reduced to a commodity.
- x. Sex object – is an object of sexual desire. A person becomes an object of sexual desire as a result of commodification, abuse or humiliation.
- y. Naked – with no covering of any form.
- z. Child Minding Center – a facility where children 0–6 years old of working parents or guardian are cared for during part of a day by a center worker trained on early childhood development and who has met the minimum requirement of a child minding center worker.
- aa. Child – refers to a person below 18 years of age or over, but is unable to fully take care of himself/herself or protect himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition. (R.A. 9775 Section 3. Definition of Terms)
- bb. Indecent – improper, offensive or inappropriate language or acts. Indecent exposure means intentional exposure of parts of one’s body in a place where such exposure is likely to be an offense against the generally accepted standard of decency.
- cc. Indecent Shows – shows which include nude presentations or provocative gestures which project and exhibit persons as sex objects.
- dd. Violence in Media – exhibition/printing of materials demonstrating violence against persons especially degradation of women and children.
- ee. Gender Protection Unit – a facility similar to Women and Children Protection Unit that caters to persons, especially women and children who consult the hospital due to violence, rape, incest and other related cases.
- ff. Child Pornography – refers to any representation, whether visual, audio or written combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means of a child engaged or involved in real or simulated explicit sexual activities.
- gg. Pornography – the explicit depiction of sexual subject matter, especially with the sole intention of sexually exciting the viewer.

ARTICLE II  
Defining General Santos City’s Gender and Development  
Programs, Activities, Projects and Strategies

Section 4. All schools, offices, establishments or companies, departments and agencies within the City of General Santos shall be provided with gender sensitivity orientation and training.

Likewise, all establishments, schools, colleges and universities shall develop assessment tools for the effectiveness of the Gender and Development Program.

Section 5. A sufficient amount shall be allotted to gender-related documentation and researches which shall form part of the city's data-base program development to be recommended by the GAD Committee and approved by the Local Chief Executive.

Section 6. There shall be an active promotion and publication of gender-fair materials in popular forms in the city.

Section 7. An integrated gender-sensitive and environment-friendly Zoning Plan of the city is hereby established taking into consideration among others, the following:

- a. Relocation of communities shall contribute to the relocatees in finding alternative sources of livelihood;
- b. Relocation sites shall consider ways and means in reducing the relocatees' burden in economic and social participation.

Section 8. 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 to the indigenous people's rights.

Section 9. The city shall engage in the development of gender-sensitive natural resource-based management programs.

Section 10. The City Government shall promote the active role of women apart from men in environmental impact assessment projects.

Section 11. The City Government shall actively promote an alternative technology on livelihood and other related assistance that is appropriate and safe for everybody's well-being.

Section 12. An amount necessary to implement the basic social services for women, men and children who are in extremely difficult circumstances shall be allocated from any available sources of funds.

Section 13. The City Government of General Santos, through the City Social Welfare and Development Office, shall conduct consultations with People's Organizatons, Government Organizations, Civil Society Organizations, and Non-Government Organizations in establishing networks for loans and investments to clarify implications on people's welfare and development at the city and barangay level.

Section 14. The City Government, through the City Social Welfare and Development Office and Public Employment Services Office, shall gather information on overseas contract workers from General Santos City, especially those who become victims of abuses, results of which shall serve as basis in identifying special support to all OFWs concerned.

Section 15. The City Population Management Office in coordination with Department of Labor and Employment shall develop fact sheets on gender issues affecting OFW's for distribution at the barangay level where initial clearances are secured.

Section 16. Men and women are encouraged to undertake education on national and local policies and their implications on gender-sensitivity.

Section 17. A special para-legal training for Lupong Tagapamayapa shall be conducted on gender issues and related matters. The City Government thru the City Legal Office shall also make representations with the City Prosecutor's Office, Public Attorney's Office, Probation and Parole Office and the different courts of law in the city on the treatment of witnesses especially the children and on the use of gender-fair language in legal proceedings.

Section 18. Women shall be given opportunity to acquire training on non-traditional occupation such as those related to science and technologies.

Section 19. The City Government, through the City Public Information Office, shall encourage and support the conduct of gender-sensitivity trainings for local media practitioners at the community level located in the city. It shall likewise provide full support to media practitioners and freelance/independent media producers that advocate gender-sensitive issues through various forms of incentives and recognitions.

ARTICLE III  
General Santos City  
Gender and Development Composition

Section 20. There is hereby created a General Santos City GAD Committee.

Section 21. The GSC GAD Committee shall be composed of the following:

The City Mayor or designate shall be the Chairperson of the Committee.

Members:

a) one representative or permanent alternate each of:

1. City Planning and Development Office
2. City Social Welfare and Development Office
3. City Health Office
4. Human Resource Management and Development Office
5. City Budget Office
6. City Engineer's Office
7. City Administrator's Office
8. City Legal Office
9. City Housing and Land Management Office
10. Sangguniang Panlungsod
11. General Santos City Hospital
12. Philippine National Police
13. General Santos City Government Employees' Association
14. Three (3) accredited NGOs/POs/PS to be selected by the City Mayor
15. Department of Education

16. Department of Labor and Employment
17. City Mayor's Office - Barangay Affairs Division
18. City Economic Management and Development Office – Tourism Division

b) President of:

1. Liga ng mga Barangay
2. Sangguniang Kabataan Federation

c) Chairperson of the Committee on Women, Children and Family of the Sangguniang Panlungsod

The City Population Management Office shall act as the GAD Focal Office and secretariat of the GAD Committee.

The GAD Focal Person shall be designated by the City Mayor from the GAD Focal Office.

Section 22. The GAD Committee shall:

- a. Act as the advisory body to the City Mayor on matters concerning gender and development;
- b. Ensure and sustain management's support through regular reporting;
- c. Monitor and assess gender and development programs and policies of the city government;
- d. Analyze data and indicators on gender;
- e. Ensure that the local government has strong linkages with government agencies, non-government organizations, civil society organizations, people's organizations, and private sector in order to mainstream gender and development in their respective institutions.

Section 23. There shall be created a Gender and Development division which shall be responsible in carrying-out tasks and functions that may be assigned to the City Population Management Office.

Section 24. The GAD Focal Office shall:

- a. Ensure the implementation of GAD Code.
- b. Mainstream gender and development programs by way of the following:
  1. Gender-Sensitive Watch. A system of services and facilities in order to monitor status of men and women in the city wherein all departments and agencies therein shall develop conceptual and 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 develops qualitative statistical indicators to facilitate the assessment of economic performance from a gender fair perspective. It shall also serve as the data bank of the city government on gender and development.
  2. Legal Aid Services Check. A coordinated service for any legal action needed in protecting women, children, and special group of person's rights shall be installed.
  3. Advocacy. A coordinated advocacy and campaign on all forms of discrimination and violence against any person shall be programmed.

4. Gender Sensitive Sustainable Project Development. A system of appraisal of projects to determine sustainable impact on persons.
- c. Coordinate with the Local Monitoring Board for Violence in Media, other organizations and groups relative to the implementation of GAD Code.
- d. Develop and maintain a gender-responsive data management system.
- e. Establish data bank on status of city population affecting gender issues.
- f. Submits report to the Local Chief Executive.
- g. Act as secretariat of the GAD Committee with the following responsibilities:
  - a) Coordinate plans and activities of the Committee;
  - b) Serve as the center of communication and documentation;
  - c) Keep all the records of the Committee;
  - d) Facilitate the conduct of meetings of the Committee; and
  - e) Perform other secretariat function as may be assigned by the Committee.

Section 25. The City Mayor shall designate one (1) GAD Coordinator from each department of the City Government.

Section 26. The department coordinators shall:

- a. Identify and report gender related issues and concerns in their respective departments to the department head and/or GAD Committee;
- b. Take the lead in the preparation of their department GAD Plan;
- c. Submit the annual department GAD plan and accomplishment report to the City GAD Committee;
- d. Organize/facilitate activities in the department concerning GAD;
- e. Install and maintain GAD Information Board in the department premises;
- f. Attend meetings as may be called by the GAD Committee;
- g. Carry out the collection and generation of accurate gender and sex disaggregated data and develops qualitative and quantitative indicators to facilitate the assessment of the city's performance from a gender perspective.

Section 27. All barangays shall establish their respective Barangay Gender and Development Committee that shall ensure that gender issues and concerns are incorporated and addressed at the barangay level and reflected in barangay development plans. All accredited organizations with mass membership at the community level shall be represented in the committee. Details of the committee operations shall be provided in the Implementing Rules and Regulations of this Code. These barangays shall appropriate at least five percent GAD Budget as institutionalized and mandated by law to address the strategic gender needs as stated in Article II hereof.

Section 28. The performance of the members of the GAD Committee and GAD coordinators shall be included in their Performance Evaluation Report (PER).

Section 29. The committee shall meet monthly or as often as necessary. It may also hold seminars or workshops in relation to policy-making.

Section 30. The funds for the operation of the GAD Committee and GAD Program shall be allocated under the account of the City Population Management Office.

#### ARTICLE IV Framework Plan for Gender



Section 31. The City Government of General Santos through the General Santos City GAD Committee shall formulate Framework Plan for Gender which shall serve as a guide for the city in the implementation of GAD Plans and budgets. Its three priority thrusts are: 1) promotion of gender-responsive governance; 2) protection and fulfillment of women's and children's human rights; and 3) promotion of women's economic empowerment.

Section 32. Non-Governmental Organizations, Peoples Organizations and Private Sector are urged to assist and support the implementation, monitoring and assessment of the Framework Plan for Women.

Section 33. The amount necessary for the implementation of the Framework Plan for Gender embodying GAD programs, activities and projects shall be primarily charged against the 5% GAD Budget of the City Government of General Santos including those sourced from bilateral/multilateral agencies/organizations or those from the official development assistance, if any. The annual appropriations ordinance of the City Government of General Santos City shall see to it that the aggregate budget allocations for GAD related projects of the different departments and/or offices of the city government shall be at least 5% of the annual budget. The city government shall ensure that the 5% GAD budget allocation shall primarily address the strategic gender needs as mentioned in Article II hereof. In consideration of the nature of the functions of the GAD Committee, NGOs, PS and POs, GAD Committee members shall receive a monthly honorarium of ₱2,000.00. Likewise, if allowed by existing laws, government rules and regulations, government representatives shall receive a quarterly honorarium for actual performance for specified activity amounting to at least ₱1,000.00 and travelling and other incidental expenses chargeable against the GAD account under CPMO for National Government Agencies representatives and chargeable against the respective account of the office of the LGU Representatives.

#### ARTICLE V GAD Plans, Budgets and Accomplishment Reports

Section 34. The City Government of General Santos through the General Santos City GAD Committee shall observe the following guidelines, to wit:

1. The City Government of General Santos shall formulate its annual GAD plans and budgets within the context of its mandate and overall plans and programs. The annual GAD plan and budget shall be geared towards the achievement of the desired outcomes and goals as identified in the Framework Plan for Women.
2. The City's GAD activities shall proceed from a review of sex-disaggregated data, the conduct of a gender analysis of major programs and the conduct of consultation/s with women's groups or groups concerning GAD.
3. The conduct of massive information education and communication campaigns on the gender issue/s being addressed by the City Government of General Santos shall be given priority in terms of budget allocation.
4. GAD planning and budgeting shall be observed annually and incorporated in all programming and budgeting exercises of the city.
5. The Local Chief Executive shall ensure the implementation of the annual GAD plan and the utilization of the GAD budget.

Section 35. The following procedural guidelines are hereby set for the coordination and reportorial requirement to be complied, to wit:

1. The General Santos City GAD Committee shall prepare the annual GAD Plan and budget in coordination with the City Budget Officer following the format and procedure prescribed herein to be approved by the City Mayor. The preparation of the annual GAD Plan and budget shall be in coordination with the different departments and agencies of this Local Government Unit (LGU) to ensure that budget for GAD related projects and activities of said departments/agencies are allocated. (Form available as Annex A of the Ordinance)
2. The General Santos City GAD Committee shall prepare the annual GAD accomplishment report in coordination with the City Budget Officer following the format prescribed herein to be approved by the City Mayor. (Form available as Annex B of the Ordinance)

The annual GAD accomplishment report shall be accompanied by the following: 1.) brief summary of the reported program or project; 2.) abstract of reported studies; 3.) copies of reported policy issuances; and 4.) curriculum vitae of trainers or consultants of the reported training/s.

The City shall submit to the Department of Interior and Local Government two copies of the GAD annual accomplishment report for the previous year for monitoring purposes.

Section 36. - The following shall be the brief contents of GAD Plan and Budget for the City of General Santos:

- a. In Column 1, the city program/activity/project shall be indicated. It shall be based on the gender issue the city government sought to address.
- b. In Column 2, gender issues shall be identified.
- c. In Column 3, the GAD objective shall be set. It must describe the intended outcome.
- d. In Column 4, GAD activities shall be identified. Its purpose is to identify corresponding interventions for each gender issue that the city commits to address.
- e. In column 5, targets shall be set so as to identify the quantitative and qualitative results the city aims for.
- f. In Column 6, performance indicators shall be set. The objective of this action is to identify the quantitative and qualitative measures of progress vis-à-vis the achievement of the targets set by the agency.
- g. In Column 7, the cost of GAD activities shall be indicated.

Section 37. The following shall be the brief contents of GAD Accomplishment Report for the City of General Santos.

- a) In Column 1, the city program/activity/project shall be indicated. It shall be based on the gender issue the city government sought to address.
- b) In Column 2, gender issues shall be identified.
- c) In Column 3, the GAD activity which is a component of the regular programs, activities and projects of the city.
- d) In Column 4, shall reflect the results or the consequences of the activity that has been conducted.
- e) In column 5, shall indicate the cost of the program/activity/project.
- f) In Column 6, shall contain the remarks. Report of any deviation from proposed plan as well as factors that have facilitated or hindered the implementation of gender mainstreaming on the city.

ARTICLE VI  
Brief Compilation of Criminal Laws on Women and Children

Section 38. To put into practice the commitment of the City Government to protect women and children against crimes as contained in the different legal concepts adopted under this ordinance, and in line with the thrust of the City Government of General Santos to provide assistance and support services to women and children who are victims of crimes and offenses under laws hereunto compiled, this Chapter aims to provide easy reference to all stakeholders for the said purpose.

Section 39. As stated in RA 9710 or the Magna Carta of Women of 2009, the City Government shall adhere to the provisions stated therein to ensure participation of women in nation building, to promote empowerment of women and pursue equal opportunities of women and men.

Section 40.A. As defined and penalized under Republic Act No. 7877, Work, Education or Training-related Sexual Harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act.

(1) In a work-related or employment environment, sexual harassment is committed when:

- (a) The sexual favor is made as a condition in hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;
- (b) The above acts would impair the employee's rights or privileges under existing labor laws; and
- (c) The above acts would result in an intimidating, hostile, or offensive environment for the employee.

(2) In an education or training environment, sexual harassment is committed:

- (a) Against one who is under the care, custody or supervision of the offender;
- (b) Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;
- (c) When the sexual favor is made as a condition to the giving of a passing grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or
- (d) When the sexual advances result in an intimidating, hostile, or offensive environment for the student, trainee or apprentice.

40.B. Other than the definition above described, the following constitute sexual harassment:

1. persistent telling of offensive jokes such as green jokes or other analogous statement to someone who finds them offensive or humiliating;

2. taunting a person with constant talk about sex and sexual innuendos;
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. repeatedly asking for dates despite verbal rejection;
7. staring or leering maliciously;
8. touching, punching or brushing up against someone's body unnecessarily or deliberately;
9. kissing or embracing someone against his/her 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 ridicules, humiliates or embarrasses the woman such as "puta", "buring", "peste", "puñeta", etc;
12. any other unnecessary acts during physical examinations;
13. requiring women to wear suggestive or provocative attire during interviews such as on the job hiring or promotion.

Section 41. Violence against Women and their Children as provided under R.A. No. 9262 is committed through any of the following acts:

- (a) causing, threatening or attempting to cause physical harm to the woman or her child;
- (b) placing the woman or her child in fear of imminent physical harm;
- (c) Attempting to compel or compelling the woman or her child to engage in conduct which the woman or her child has the right to desist from or to desist from conduct which the woman or her child has the right to engage in, or attempting to restrict or restricting the woman's or her child's freedom of movement or conduct by force or threat of force, physical or other harm or threat of physical or other harm, or intimidation directed against the woman or her child.

These shall include, but is not limited to the following acts committed with the purpose or effect of controlling or restricting the movement or conduct of the woman or her child:

1. Threatening to deprive or actually depriving the woman or her child of custody or access to her/his family;
  2. Depriving or threatening to deprive the woman or her children of financial support legally due her or her family, or deliberately providing the woman's children insufficient financial support;
  3. Depriving or threatening to deprive the woman or her child of a legal right; and
  4. Preventing the woman from engaging in any legitimate profession, occupation, business or activity except in cases where the spouse or partner objects on valid, serious and moral grounds, or controlling the victim's own money or property, or solely controlling the conjugal or common money or property;
- (d) Inflicting or threatening to inflict physical harm on oneself for the purpose of controlling her actions or decisions;
  - (e) Causing or attempting to cause the woman or her child to engage in any sexual activity which does not constitute rape, by force or threat of force, physical harm, or

- through intimidation directed against the woman or her child or her/his immediate family;
- (f) Engaging in purposeful, knowing, or reckless conduct, personally or through another, that alarms or causes substantial, emotional or psychological distress to the woman or her child. These shall include, but is not limited to the following acts:
    - 1. Stalking or following the woman or her child in public or private places;
    - 2. Peering in the window or lingering outside the residence of the woman or her child;
    - 3. Entering or remaining in the dwelling or on the property of the woman or her child against her/his will;
    - 4. Destroying the property and personal belongings or inflicting harm to animals or pets of the woman or child; and
    - 5. Engaging in any form of harassment or violence.
  - (g) Causing mental or emotional anguish, public ridicule or humiliation to the woman or her child, including, but not limited to, repeated verbal and emotional abuse, and denial of financial support or custody of a minor child or denial of access to the woman's child.

Any person committing the aforesaid acts shall suffer the penalty imposed under Republic Act No. 9262.

Section 42. As provided under RA 9344, every child in conflict with the law shall have the following rights including, but not limited to:

- (a) The right not to be subjected to torture or other cruel inhuman or degrading treatment or punishment;
- (b) The right not to be imposed a sentence of capital punishment or life imprisonment without the possibility of release;
- (c) The right not to be deprived unlawfully or arbitrarily of his/her liberty; detention or imprisonment being a disposition of last resort and which shall be for the shortest appropriate period of time;
- (d) The right to be treated with humanity and respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He/she shall be conveyed separately to or from court. He/she shall await hearing of his/her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits, save in exceptional circumstances;
- (e) The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
- (f) The right to bail and recognizance in appropriate cases;
- (g) The right to testify as a witness in his/her own behalf under the rule on examination of a child witness;
- (h) The right to have his/her privacy respected fully at all stages of the proceedings;
- (i) The right to diversion if he/she is qualified and voluntarily avails of the same;

- (j) The right to be imposed a judgment in proportion to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court under the principle of restorative justice;
- (k) The right to have restrictions on his/her personal liberty limited to the minimum, and adhere discretion is given by the law to the judge to determine, to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- (l) In general, the right to automatic suspension of sentence;
- (m) The right to probation as an alternative to imprisonment, if qualified under the Probation Law;
- (n) The right to be free from liability for perjury, concealment or misrepresentation; and
- (o) Other rights as provided under the existing laws, rules and regulations.

Section 43. A. The following acts which promote or facilitate trafficking in persons, are unlawful:

1. To knowingly lease or sublease, use or allow to be used any house, building or establishment for the purpose of promoting trafficking in persons;
2. To produce, print and issue or distribute tampered or fake counseling certificates, registration stickers and certificates of any government agency which issues these certificates and stickers as proof of compliance with government regulatory and pre-departure requirements for the purpose of promoting trafficking in persons;
3. To advertise, publish, print, broadcast or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means, including the use of information technology and the internet, of any brochure, flyer, or any propaganda material that promotes trafficking in persons;
4. To assist in the conduct of misrepresentation or fraud for purposes of facilitating the acquisition of clearances and necessary exit documents from government agencies that are mandated to provide pre-departure registration and services for departing persons for the purpose of promoting trafficking in persons;
5. To facilitate, assist or help in the exit and entry of persons from/to the country at international and local airports, territorial boundaries and seaports who are in possession of un-issued, tampered or fraudulent travel documents for the purpose of promoting trafficking in persons;
6. To confiscate, conceal, or destroy the passport, travel documents, or personal documents or belongings or trafficked persons in furtherance of trafficking or to prevent them from leaving the country or seeking redress from the government or appropriate agencies; and
7. To knowingly benefit from, financial or otherwise, or make use of, the labor or services of a person held to a condition of involuntary servitude, forced labor, or slavery.

43.B. The following are considered as qualified trafficking in persons when:

1. the trafficked person is a child;
2. the adoption is effected through Republic Act No. 8043, otherwise known as the "Inter-Country Adoption Act of 1995" and said adoption is for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;
3. the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale of committed against three (3) or more persons, individually or as a group;

4. the offender is an ascendant, parent, sibling, guardian or a person who exercises authority over the trafficked person or when the offense is committed by a public officer or employee;
5. the trafficked person is recruited to engage in prostitution with any member of the military or law enforcement agencies;
6. the offender is a member of the military or law enforcement agencies; and
7. by reason or on occasion of the act of trafficking in persons, the offended party dies, becomes insane, suffers mutilation or is afflicted with Human Immunodeficiency Virus (HIV) or the Acquired Immune Deficiency Syndrome (AIDS).

Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Republic Act No. 9208.

Section 44. As provided under Article 266-A of the Revised Penal Code of the Philippines as amended by R.A. 8353, rape is committed:

- a. By a man who shall have carnal knowledge of a woman under any of the following circumstances:
  1. through force, threat or intimidation;
  2. when the offended party is deprived of reason or is otherwise unconscious;
  3. by means of fraudulent machination or grave abuse of authority;
  4. when the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above is present;
- b. By any person who, under any of the circumstances mentioned in paragraph 1 hereof, shall commit an act of sexual assault by inserting his penis into another person's mouth or anal orifice, or any instrument or object, into the genital or anal orifice of another person.

Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Republic Act No. 8353.

Section 45. As provided in Presidential Decrees Nos. 960 and 969, printing, publication, display and distribution of pornographic scenes on movie/television, trailers/shows, posters, billboards, literature and other visual materials which treat women and men as sex objects or commodities are prohibited.

Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Presidential Decree Nos. 960 and 969.

Section 46. It shall be unlawful for any person:

- (a) To hire, employ, use, persuade, induce or coerce a child to perform in the creation or production of any form of child pornography;
- (b) To produce, direct, manufacture or create any form of child pornography;
- (c) To publish, offer, transmit, sell, distribute, broadcast, advertise, promote, export or import any form of child pornography;
- (d) To possess any form of child pornography with the intent to sell, distribute, publish or broadcast: Provided, That possession of three (3) or more articles of child pornography of the same form shall be prima facie evidence of the intent to sell, distribute, publish or broadcast;

- (e) To knowingly, willfully and intentionally provide a venue for the commission of prohibited acts such as, but not limited to, dens, private rooms, cubicles, cinemas, houses or in establishments purporting to be a legitimate business;
- (f) For film distributors, theaters and telecommunication companies, by themselves or in cooperation with other entities, to distribute any form of child pornography;
- (g) For a parent, legal guardian or person having custody or control of a child to knowingly permit the child to engage, participate or assist in any form of child pornography;
- (h) To engage in the luring or grooming of a child;
- (i) To engage in pandering of any form of child pornography;
- (j) To willfully access any form of child pornography;
- (k) To conspire to commit any of the prohibited acts stated in this section. Conspiracy to commit any form of child pornography shall be committed when two (2) or more persons come to an agreement concerning the commission of any of the said prohibited acts and decide to commit it; and
- (l) To possess any form of child pornography.

Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Republic Act No. 9775.

Section 47. Under R.A. 6955, it is declared unlawful:

- (a) For a person, natural or juridical, association, club, or any other entity to commit, directly, or indirectly, any of the following acts:
  1. to establish or carry on a business which has for its purpose the matching of Filipino women for marriage to foreign nationals either on a mail-order basis or through personal introduction;
  2. To advertise, publish, print or distribute or cause the advertisement, publication, printing or distribution of any brochure, flyer, or any propaganda material calculated to promote the prohibited acts in the preceding subparagraph;
  3. To solicit, enlist or in any manner attract or induce any Filipino woman to become a member of any club or association whose objective is to match women for marriage to foreign nationals either on a mail-order basis or through personal introduction for a fee;
  4. To use the postal service to promote the prohibited acts in subparagraph 1 hereof;
- (b.) For the manager or office-in-charge or advertising manager of any newspaper, magazine, television or radio station, or other media, or of an advertising agency, printing company or other similar entities, to knowingly allow, to consent to the acts prohibited in the preceding paragraph.

Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Republic Act No. 6955.

Section 48. Any person who engages in shows depicting women, men and children as sex objects in private or public place or under scandalous circumstances shall be prosecuted under the Revised Penal Code or PD 969, as the case may be.



Any commission of the foregoing acts shall be punished in accordance with the penal provisions of Presidential Decree No. 969.

Section 49. It shall be unlawful to influence or force a person to dance or do naked shows in public or private places for commercial or entertainment purposes.

Any person violating this provision shall be penalized with 1 year imprisonment or a fine of ₱5,000.00 or both at the discretion of the court.

Section 50. All fund raising initiatives/activities, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing of movies, or any similar fund-raising undertaking where women, men and children are used as door 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 person as central, partial, or special focus in order to raise funds are hereby prohibited and declared unlawful.

Any person violating this provision shall be penalized with 1 year imprisonment or a fine of ₱5,000.00 or both at the discretion of the court.

Section 51. So long as it is not contrary with the existing tribal laws (written or unwritten), customs, traditions, and practices, no one shall be forced to marry.

Section 52. Pedophilia is a form of sexual perversion where children are preferred victims for intercourse. It shall include but not limited to the following acts:

- a. when the offender have sexual intercourse in any form with a boy or girl child;
- b. when the offender does other sexual or lascivious acts such as but not limited to fondling, kissing the private parts of a boy or girl child or taking photographs/video of the same for pornography; and
- c. when the offender commits other pedophilic acts.

Section 53. Under the Labor Code of the Philippines and the Civil Service Law, woman/female labor force whether in public or private sector shall enjoy the following rights and privileges:

- a. Maternity leave benefit for pregnant women;
- b. Facilities for women – adequate facilities must be made available for women workers, such as seats, separate toilet and lavatories for women, dressing room, and nursery;
- c. Family planning – family planning services shall be provided to employees of an establishment which are by law required to maintain a clinic or infirmary;
- d. Express lane for pregnant women;
- e. Discrimination – employer shall not discriminate against women in the work place with respect to terms and conditions of employment on account of her sex;
- f. Stipulation against marriage – the right to get married is an internationally recognized right of any individual. It is therefore unlawful to discriminate married employees or to require that a woman remain unmarried;
- g. Prohibited acts - employers are prohibited from doing acts discriminatory on account of women's mothering function;
- h. Classification of certain women workers – women who are not formally employed in night clubs, cocktail lounges, massage clinic, bar or similar establishment shall be

- considered employed for purposes of labor and social legislation if they are suffered to work, with or without compensation;
- i. Employment of House-helpers;
  - j. Equal Access to Employment, Training and Promotion - no one shall be deprived of employment opportunity on account of gender, age, ethnicity, creed, religion and civil status. Likewise, no one shall be deprived of training and promotion in employment;
  - k. Wage and Benefits. Every employer shall comply with the minimum wage as stipulated by the Regional Tripartite Wages and Productivity Board;
  - l. Increase Paternity Leave Benefits as Incentive for Fathers for Meaningful Participation in the Care of the New Born Child in the Private Sector. – Additional paternity leave benefits up to fourteen (14) days from the seven (7) days mandated by the law under RA 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the City, who have rendered at least one (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees' union and management. Provided, further, that any additional leave period shall be used for caring of the new-born baby by the concerned employee.

## ARTICLE VII

### Regulations on Beauty Contest and Protection Against Discrimination

Section 54. Beauty contests, bikini contests, fashion shows, modeling, concerts and other similar shows and competitions which tend to exploit, commodify, abuse, humiliate and treat women, men and children as sex objects are hereby strictly prohibited and declared unlawful in schools, communities, and barangays in connection with special celebrations or any affair for that matter.

But in their stead, the projection of men, women and children's strengths and potentials, especially with regard to indigenous and culturally relevant forms shall be encouraged.

The following are considered but not limited to exploitation, commodification, abuse, humiliation and treatment of men, women and children as sex objects:

1. Wearing of any attire that exposes the butt and genitalia of both gender and sexes, and the women's breast;
2. Wearing of transparent, skin tone, see-through and the like underwear, attire or clothing;
3. Using inappropriate body movements;
4. Selling/buying of tickets and the like, in exchange of winning the contest; and
5. Contest that involves money or goods in exchange of winning it.

Any person or entity organizing the contest violating this provision shall be penalized with 1 year imprisonment or a fine of ₱5,000.00 or both at the discretion of the court.

No beauty contest or any related shows and competition shall be conducted without securing Clearance from the barangay or city and Consultation Clearance from the secretariat of the GAD Committee chaired by the City Population Management Office before the issuance of the Mayor's Permit to ensure the proper implementation of this section.

Section 55. It shall be regarded a violation of human rights to discriminate against any person on the basis of their sexual preference or orientation for employment, participation in city

development programs and projects, and/or other family community activities. Every person's right to sexual preference shall be respected and protected.

#### ARTICLE VIII

##### General Santos City Assistance and Support Services for the Protection of the Rights of Women and Children Within the Context of the City's Gender and Development Code

Section 56. The City Government of General Santos thru the GAD Committee and in coordination with its line and partner agencies such as City Social Welfare and Development Office, City Health Office, City Population Management Office and other agencies of the government, people's or non-government organizations and private sector shall require the provision of the following assistance and support services:

- (a) Support to persons in Armed Conflict Situation. (1) No person shall be deprived of basic social services in armed conflict areas; (2) no one shall be kept by any peace and order personnel in military detachment/police checkpoint or any analogous quarter for purposes of company;
- (b) Conscious Surveillance of Entertainment Establishment. The City Health Office shall conduct conscious surveillance of entertainment establishments existing in the city that are suspected of exploiting women;
- (c) Indigenous and 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;
- (d) Support to Women Survivors of Violence. The City Government of General Santos shall provide support to women survivors of violence;
- (e) Support to Solo Parents. The City Government of General Santos shall provide support to Solo Parents as mandated by law;
- (f) The City Government of General Santos, through the City Police Office, shall establish and maintain the Women's and Children's Protection Center (WCPC) preferably handled by Women Police Officers. All Police Stations shall have WCPC to specifically handle concerns on women and children. All police stations of the city shall have a separate women and children protection room within the police station;
- (g) 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 standards in handling such cases. Complaints against all forms of battering of men shall be handled by the City Social Welfare and Development Office (CSWDO);
- (h) Programs for Survivors of Violence. Women and children who are survivors of all forms of violence shall be registered in the psychological program which shall be carried out by the City Social Welfare and Development Office;
- (i) All investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor's office and other trial courts shall recognize and allow the survivor's support group to be present in the court room as observers and to provide moral support to the victims subject of litigation;
- (j) Children's Welfare is hereby strengthened under the City Social Welfare and Development Office to cater to problems and concerns of depressed families especially those affected by natural and artificially made calamities or disaster;
- (k) Social Human Development Council (SHDC) shall be strengthened by the city government composed of NGOs, POs, PS and GOs that shall serve as coordinating

and advisory body of the city government in designing programs geared towards gender and youth development, promotion and protection of ecological balance and shall formally and regularly consulted on peace and development issues on the basis of social equity and justice;

- (l) Support to Women in Detention. – The rights of all women detainees shall be protected by ensuring them of (a) a speedy trial of their respective cases; (b) an appropriate program to respond to their specific needs and problems as detainees; (c) a separate physical structure and space provisions for detention and rehabilitation; and (d) a provision of legal services.

Section 57. Comprehensive Health Care Service in Gender Perspective. - No person shall be denied of health care service on the account of gender, age, sex, creed, civil and social status, education, religion and ethnicity.

The City Government shall adopt the reproductive health care approach at all levels of health care delivery. Such approach shall integrate many issues not previously considered central on population, sexuality, gender power relations and domestic violence.

The services shall be consistent with gender-responsive health care delivery and shall be a life-cycle based framework. This framework assures services “from womb to tomb”. Services shall abide by the principle of quality information and quality care.

Section 58. The City Government shall establish legal team to provide paralegal or legal assistance to the victims of violence against men, women and children. The team shall handle the cases and other legal actions particularly on all forms of violence against men, women and children.

To ensure the provisions of free legal assistance or service, a legal officer and a legal aide shall be hired by the Local Government Unit who shall primarily serve the clients of this Unit. The Legal Officer and Legal Aide shall provide services for any legal actions needed in protecting the abused victims.

Section 59. The City Government shall provide a comprehensive support to victims and survivors of violence which consist of but not limited to:

- a. immediate conduct of an investigation within 24 hours;
- b. provide for counseling and medical services for the offended party;
- c. gather evidence for the arrest and prosecution of the offenders;
- d. make a report of his/her investigation and on the basis of the offended part’s testimony and additional evidence, if any, endorse the same to the proper prosecution office within 36 hours from the time of filing, regardless of his/her evaluation of the case;
- e. the investigating officer or the examining physician, if possible of the same sex as the offended party, ensure that only person expressly authorized by the latter are allowed inside the room where the investigation, medical or physical examination is being conducted;
- f. victims and survivors of all forms of violence shall register in a community-based psychological program that shall assist the victims and survivors in holistically rebuilding and empowering themselves;
- g. all investigations/hearings involving rape cases and other forms of violence against women and children conducted in the police stations, prosecutor’s office and the trial courts shall recognize the survivor’s social support group as expressly allowed or requested by the offended party;

- h. a temporary shelter with appropriate support services for women and children in crisis shall be appropriately constructed under the management and supervision of the City Social Welfare and Development Office.

Section 60. The City Government shall advocate that all parents have moral obligation and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological and psychological conditions.

Section 61. a.) The City Government of General Santos shall establish a Gender Protection Unit at the General Santos City Hospital (all levels of health care, especially at the tertiary level) and shall provide service training to all health and other allied personnel who shall be assigned in this unit. The unit shall include assistance and services for persons in crisis regardless of gender and sex, the establishment and operation of a rape crisis center as mandated by Republic Act 8505, for the purpose of:

1. Providing victims of physical and sexual abuse and other forms of violence with psychological counseling, medical and health services, when necessary;
2. Securing free legal assistance or service, when necessary, for victim of physical and sexual abuse and other forms of violence;
3. Assisting victims of physical and sexual abuse and other forms of violence in the investigation to hasten the arrest of the offenders and the filing of cases in court;
4. Ensuring the privacy and safety of victims of physical and sexual abuse and other forms of violence;
5. Providing psychological counseling and medical services whenever necessary for the family of victims of physical and sexual abuse and other forms of violence;
6. Developing and undertaking a training program for law enforcement officers, public prosecutors, lawyers, medico-legal officers, social workers, and barangay officials on human rights and responsibilities, gender-sensitivity and legal management of rape and cases of abuse in coordination with the GAD Focal Office;
7. Adopting and implementing programs and procedures to expedite the processing of cases of abuse and other forms of violence.

b.) The City Government shall ensure the establishment of Women and Children's Protection Center in all police stations in the city which shall serve as a stand-by quick response team to immediately respond to any call of violence by persons in crisis.

c.) The Local Inter-Agency Task Force Against Trafficking (LIATFAT) established by Ordinance No. 01, Series of 2005 shall remain and continue to exist, with the following powers and functions:

1. formulates a comprehensive and integrated program to prevent and suppress the trafficking in persons;
2. recommends rules and regulations as maybe necessary for the effective implementation of R.A. 9208;
3. delivers programs and services for the prevention, rescue and rehabilitation of victims of trafficking and their families;
4. conducts massive information dissemination and campaign on the existence of law, rules, and regulations and on the various issues and problems attendant to trafficking;
5. assists in filing of cases against individuals, agencies, institutions or establishments that violate the provisions of R.A. 9208;

6. develops mechanism to ensure the timely, coordinated and effective response to cases of trafficking in persons;
  7. coordinates with other national and local agencies that may be involved in the enforcement of R.A. 9208;
  8. exercises all the powers and perform such other functions necessary to attain the purpose and objectives of the ordinance.
- d.) Creation of a Family Arbitration Committee. - All Barangay Governments in the city shall create a committee on family arbitration to resolve cases on family disputes and violence.
- e.) Barangay-Based Registration of House Helpers. - All barangays in the city shall initiate barangay-based registration 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.
- f.) Barangay-based Househelp Support. – All barangays in General Santos City shall conduct information and education for both househelpers and househelper employers on gender sensitivity. Employers are reminded to provide their house helpers weekly day-off as mandated by law.

Section 62. All government agencies and private offices, commercial/industrial establishments located in the city shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the City Gender And Development Committee.

The City Government shall set up/create its own Committee on Decorum and Investigation (CODI) including the promulgation of the Implementing Rules and Regulations or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all City officers and employees in accordance with the provision of Republic Act 7877 and the Civil Service Commission.

The City Government shall campaign to set up/create the same CODI in all private offices and commercial/industrial establishments.

Section 63. A Committee On Decorum and Investigation (CODI) shall be set up in the local government unit, national agencies, private establishments or companies to act on complaints related to sexual harassment.

Section 64. Employment and Capital Assistance Program. - The local government thru the agencies engaged in socio-economic programs shall not deprive anyone of capital assistance, subsidy and/or employment because of sex and gender.

Section 65. Gender-Sensitive Work Environment. – A gender-sensitive work 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.

There shall be separate facilities for men and women, such as but not limited to comfort room, powder room and the like.

Section 66. Workers in the Entertainment Industry.

- a. Workers in the entertainment industry shall be recognized as wage earners and they shall receive a minimum wage and benefits afforded to workers and shall render services only in the place of work as specified in the business permit of the establishment concerned.
- b. Support Services for Workers in the Entertainment Industry. The City Government shall provide alternative socio-economic support services for workers in the entertainment industry in its desire to respond to their practical needs.
- c. Medical Routine Check-Up. Workers in the entertainment industry shall be afforded by their respective employers with medical routine check-up and medicines if needed.
- d. Raids. Any form of brutality shall not be allowed during conduct of raids in the entertainment establishment. Violators of this provision shall be subjected to administrative sanction.

## ARTICLE IX Health and Social Welfare

Section 67. No hospital in General Santos City shall deny persons living below poverty line of reproductive health services. All individuals shall secure a certificate of residency from the Punong Barangay where they are residing which will be the requisite of the issuance of Certificate of Indigency from the City Social Welfare and Development Office.

Section 68. Quality health care and services that are not discriminatory on account of the gender, age, sex, creed, religion and ethnicity shall be adopted and implemented.

Section 69. The City Government shall adopt the reproductive health 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 be limited to family planning and child bearing.

Section 70. Establishment within the City of General Santos 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 and men's role in social production.

Section 71. All hospitals in the city of General Santos shall offer appropriate, equitable and affordable reproductive health services for all regardless of sex and social status with respect to religious beliefs and practices.

Section 72. Women's decision to prevent and control pregnancy shall be given the appropriate support and guidance by all health professionals, private and public at very minimal cost.

Section 73. A special Task Force shall be sustained by the City Mayor for the protection against drug abuse and proliferation of illicit drugs in the city.

Section 74. All barangays in the city shall provide easy access to safe water supply. Appropriate water systems shall be installed, if possible right at their tap, to ease a person's workload especially to minimize women and children fetching water for household use.

## ARTICLE X Education

Section 75. All public and private schools in General Santos City shall actively promote gender-sensitivity in their subject/course curriculum and gender-fair socialization for all enrollees.

Public and private schools shall also promote gender-sensitive counseling and career education programs to encourage anyone to pursue academic and technical courses to widen their career opportunities.

Section 76. The Division of City Schools in coordination with the General Santos City GAD Committee shall conduct gender-sensitivity orientation for teachers every school year.

Section 77. The City Government shall provide adult education program in all barangays of the city.

Section 78. The GAD Committee shall coordinate with the Division of City Schools, colleges and universities in monitoring and reporting the usage of gender-sensitive educational materials.

Section 79. The City Government shall adopt the scholarship program for the poor but deserving students regardless of sex, gender, ethnicity, religion, etc.

Section 80. The City Population Management Office, City Health Office and City Social Welfare and Development Office shall ensure gender-sensitive conduct of Pre-Marriage Counseling required in the application for marriage license at the Local Civil Registry.

## ARTICLE XI

### Political and Public Sphere of Men, Women and Children

Section 81. As declared by the United Nations, Republic Act No. 6949 and an Executive Order of the Local Chief Executive of General Santos City, the city shall observe March 8 of every year as Women's Day Celebration. On said day, there shall be activities for women to increase their level of awareness on issues affecting them.

The city shall also observe the first Monday of June of every year as Men's Day in support to gender and development advocacy pursuits. For this purpose, men's group shall be organized to orchestrate gender and development related activities among them.

Section 82. The city shall celebrate October 15 of every year as Rural Women's Day in accordance with National Declaration in 1997 and United Nations Conference for Women in 1995.

Section 83. The City Government shall organize various events and activities to educate residents about violence against women and children every November 25-December 10 as the period marked as the International Week of Action Against Gender-based Violence and culminates on International Human Rights Day. The activities shall be spearheaded jointly by the City GAD Committee, the Sub-Committee on Women, the City Social Welfare and Development Office, and the Barangay GAD Committee.

Section 84. A City Women's Federation shall be sustained at the city level from among the barangay organizations existing in the city.



Section 85. The City Government of General Santos shall maintain at least one seat for women representatives in different special bodies on the City Government. These local special bodies shall include, but not limited to, City Development Council, Local Health Board and Local School Board.

## ARTICLE XII Children Support System

Section 86. The City Government shall ensure that Day Care Centers are set up in every barangay.

Section 87. The City Government shall establish at least one (1) Child Minding Center in the city. The barangays are encouraged to set up their own Child Minding Center.

Section 88. Pursuant to Presidential Proclamation No. 267 dated September 30, 1993, the city shall observe the month of October as National Children's Month and shall undertake relevant projects and activities.

## ARTICLE XIII Gender-Fair Language

Section 89. The City Government of General Santos contextualizes on sexist language. In its attempt to erase all forms of discrimination against women, thus empowering them to make a full contribution to society, the City Government of General Santos hereby undertakes to integrate the use of gender-fair or non-sexist in the various orientation and trainings.

Section 90. The following guidelines for non-sexist language are hereby adopted for both written and verbal communication:

a.) Generic man

1. Replace man with specific nouns or verbs that say explicitly what you mean. Example: instead of manpower, use labor, human resources, personnel;
2. Use nouns that encompass both man and woman. Example: instead of mankind, use humanity;
3. In making general statements, add women. Example: instead of man is vulnerable, use women and men are vulnerable.

b.) The Pronouns He and His

1. The plural form may be substituted. Example: instead of: The student must submit his paper on time, use: Students must submit their papers on time.
2. The first or second person may be used instead, when appropriate. Example: Instead of: As a government employee, he faces the problem of low wages, use: As government employees, we face the problem of low wages.
3. The pronoun his may be replaced by an article or dropped altogether. Example: Instead of: A researcher must acknowledge all his sources. Use: A researcher must acknowledge all sources.
4. The pronoun one may be substituted when warranted by the text. Example: Instead of: The individual often wonders how he can help in this time of crisis, use: One often wonders how one can help in this time of crisis.

5. The sentence may be recast in the form of an impersonal or passive construction. Example: Instead of: The student must submit his paper on time. Use: Papers must be submitted on time.
6. When you have to use third person pronouns throughout a long text: 1. use both female and male pronouns but vary the order; 2. Alternate male and female pronouns throughout the text; and 3. Repeat the noun or find a synonym.

c.) Non-Stereotype Gender Roles

1. Identify both men and women in the same way when it comes to profession or employment. Example: Instead of: stewardess/steward, poetess, coed, Use: flight attendant, poet, student.
2. Do not represent women or men as occupying only certain jobs or roles. Example: Instead of: convention participants and their wives, Use: convention participants and their spouses.
3. Treat men and women in a parallel manner. Example: instead of: President Ramos and Cory, man and wife, Use: former presidents Aquino and Ramos, husband and wife or couples.
4. Avoid language that trivializes women and re-enforces stereotyped images. Example: Instead of: a big job, she did well for a woman, Use: a big job, she did well.
5. Avoid language that calls attention to the sex or sex role of the referent, e.g. “working mothers” or “working wives”.

d.) Quoting Sexist Language

1. Paraphrase the quote, using non-sexist language, and give the original author credit for the idea.
2. Quote directly and add sic after the sexist part.
3. Partially quote the material, rephrase the sexist part and name the source.

e.) Non-use of sexist, vulgar, threatening, insulting and violent words by any person that degrades another person or groups.

Section 91. All agencies and offices of the government and the private sectors shall implement this code in coordination with the GAD Committee.

Section 92. Within six (6) months from the effectivity of this Code and every six (6) months thereafter, all City Government departments and instrumentalities, shall submit a report to the GAD Committee on their compliance with this Code.

Section 93. The GAD Committee shall serve as oversight committee to review this GAD Code and prepare or make recommendations to Sangguniang Panlungsod for possible amendments or revisions thereof after two (2) years from effectivity of this code. The Sangguniang Panlungsod may introduce amendments to this Code at its own discretion as a law-making body.

Annex A

GAD FORM 1

ANNUAL GENDER AND DEVELOPMENT (GAD) PLAN AND BUDGET  
FY \_\_\_\_\_

Department: Agency:						
Major Final Output:						
Program/Activity/ Project (1)	Gender Issue/Concern (2)	GAD Objective (3)	Identified GAD Activity (4)	Target (5)	GAD Performance Indicator (6)	GAD Budget (7)
Prepared by:		Approved by:			Date:	
CHAIRPERSON OF GAD FOCAL POINT		HEAD OF AGENCY			Day/Month/Year	

Annex B

GAD FORM 2

ANNUAL GENDER AND DEVELOPMENT (GAD) ACCOMPLISHMENT REPORT

AGENCY : \_\_\_\_\_

Program/Activity/Project (1)	Gender Issue/Concern (2)	GAD Activity (3)	Results (4)	Cost (5)	Remarks (6)
Prepared by:		Approved by:			Date:
CHAIRPERSON OF GAD FOCAL POINT		HEAD OF AGENCY			Day/Month/Year

