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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

# CERTIFICATION

**TO WHOM IT MAY CONCERN:**

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on May 8, 2017 at Lingayen, Pangasinan, the following provincial ordinance was approved:*

Authored by SP Members Raul P. Sison and Noel C. Bince

## **PROVINCIAL ORDINANCE NO. 209-2017**

### **AN ORDINANCE AMENDING PROVINCIAL ORDINANCE NO. 130-2007, ENTITLED "AN ORDINANCE PROVIDING FOR A PROVINCIAL GENDER AND DEVELOPMENT CODE OF PANGASINAN AND FOR OTHER PURPOSES"**

**WHEREAS**, the Sangguniang Panlalawigan had approved Provincial Ordinance No. 130-2007, entitled "An Ordinance Providing for a Provincial Gender and Development Code of Pangasinan and For Other Purposes" on March 16, 2007;

**WHEREAS**, due to recent innovation and circumstances involving women and their social and family relations, there is a need to review and amend the abovementioned Provincial Ordinance to cope up and comply with the pertinent laws, issuances and pronouncements of the present administration with the ultimate goal of protecting the rights of women, their empowerment and in the interest of their general welfare as members of the community;

**WHEREAS**, the Sangguniang Panlalawigan finds it meritorious and necessary to update and amend the said Provincial Ordinance to ensure that women's rights are given priority attention by the government and the community;

**WHEREFORE**, in view of the foregoing, on motion of SP Members Raul P. Sison and Noel C. Bince, duly seconded –

*Be it enacted by the Sangguniang Panlalawigan in session assembled the following:*



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### CHAPTER I GENERAL PROVISIONS

#### ARTICLE I

##### **Title, Scope, Declaration of Principles and Policies, Legal Bases and Mandates**

**SECTION 1. Title** – This ordinance shall be known as “AN ORDINANCE AMENDING PROVINCIAL ORDINANCE NO. 130-2007, ENTITLED “AN ORDINANCE PROVIDING FOR A PROVINCIAL GENDER AND DEVELOPMENT CODE OF PANGASINAN AND FOR OTHER PURPOSES”.

**SECTION 2. Scope** – This Gender and Development Code, hereinafter referred to as the “Code,” shall be the primary basis of all policies concerning gender and development in the Province of Pangasinan.

**SECTION 3. Declaration of Policy** – It shall hereby be declared the policy of the Province of Pangasinan to uphold and promote gender equality and women empowerment in recognition of the crucial role that women play in nation- building and the development of the province. Towards this end, it shall:

- a. Ensure that every person, regardless of gender, will have an equal opportunity to contribute and benefit from all its programs, projects and services by pursuing a gender-free perspective in all the development cycle processes;
- b. Mainstream gender and development in its planning processes, plans, programs, projects, services and other activities;
- c. Generate sex-disaggregated data in order to address gaps in its objective to mainstream gender and development in the province;
- d. Institute affirmative actions that will promote the development and ensure the promotion and protection of the rights of women;
- e. Utilize its gender and development budget for programs, projects and services that will ensure the development of women and other marginalized sectors in the province;
- f. The Provincial Government of Pangasinan shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. Any development efforts it undertakes should realize the rights of the women, enhance women’s full potentials, uplift their status, and lead to the improvement of the quality of their lives of their families and communities; *and*



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- g. Toward this end, the Provincial Government shall pursue and implement vigorously gender-responsive development policies, design and integrate specific gender support systems, take into consideration women's rights to economic survival, political participation, self-determination and personal empowerment; adopt and implement measures to protect and promote their rights; and ensure the widest participation of women from the local government, Non-Governmental Organizations (NGOs) and People's Organizations (POs).

### **TO ATTAIN THE FOREGOING POLICY:**

All government departments, offices and instrumentalities shall ensure that women and girls benefit equally and participate directly in the development programs and projects of said departments and agencies, specifically those funded under official foreign assistance, to ensure the full participation and involvement of women in the development process, pursuant to RA 7192, or the Women in Development and Nation Building Act.

All government proposal shall ascertain the inclusion of gender-responsive indicators and guidelines while not be remissed in locating the root of women's oppression, pursuant to the United Nations Declarations and Conventions of Women of which the Philippine Government is a signatory.

All departments, offices, and instrumentalities, upon affectivity of this Code, shall review and revise all their regulations, circular, issuances, and procedures to remove gender bias therein, and shall complete the same within two years.

**SECTION 4. Legal Bases and Mandates** – The adoption of this GAD Code is in line with the objective of the Province of Pangasinan to protect the rights of women and promote their economic empowerment, gender equality, gender-responsive development and governance as embodied in the following international commitments, local and national mandates and policies:

#### **a. International Commitments on Women and GAD:**

- a.1 United Nations Convention on the Elimination of All Forms of Discrimination Against Women (UN CEDAW)** – This international instrument defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”



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**a.2 Beijing Platform for Action (BPFA)** – An international commitment adopted during the Fourth World Conference on Women in 1995, it seeks to remove obstacles to women’s full and equal participation in all spheres of life, protects women’s human rights, and integrates women’s concerns in all aspects of sustainable development. The BPFA identifies 12 areas of concern and strategies and actions that the world community must undertake on women, namely: (1) women and poverty; (2) education and training on women; (3) women and health; (4) violence against women; (5) women in armed conflict; (6) women and the economy; (7) women in power and decision-making; (8) institutional mechanisms for the advancement of women; (9) human rights of women; (10) women and media; (11) women and the environment; and (12) the girl-child.

**a.3 Program of Action of the International Conference on Population and Development (POA-ICPD)** – It is stipulated under this document that population and development are inextricably linked, and that empowering women and meeting people’s needs for education and health, including reproductive health, are necessary for both individual advancement and balanced development. This 20-year program of action adopted by 179 countries in 1995 provides concrete goals centered on providing universal education; reducing infant, child and maternal mortality; and ensuring universal access to reproductive health care, including family planning, assisted childbirth and prevention of sexually transmitted infections including HIV/AIDS.

**a.4 Millennium Declaration and the Millennium Development Goals (MDGs)** – The Millennium Declaration calls for a global consensus among the 189 member countries of the United Nations towards swift and effective action to achieve development and eradicate poverty by 2015. The MDGs include an explicit gender equality goal as well as provide a clear recognition that gender equality is essential in achieving all the other goals.

**a.5 Other International Conventions that Support GAD and Women’s Concerns in keeping with the Rights** - Based approach and the concept of gender issues being a cross-cutting concern, the state obligation to uphold and promote women’s rights is not exclusive to the CEDAW. More so, in instances where the CEDAW Convention is less specific than other instruments, or does not address certain rights explicitly, such gaps can be filled by referring to provisions of particular relevance to women of the other seven (7) human rights conventions to which the Philippines is a state party to. These are: (1) the International Convention on



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Economic, Social and Cultural Rights (ICESCR); (2) the International Covenant on Civil and Political Rights (ICCPR); (3) the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); (4) the Convention Against Torture (CAT); (5) the International Convention on the Protection of Rights of All Migrant Workers and Members of their Families (CMW); (6) Convention on the Rights of the Child (CRC); and (7) the International Convention on the Rights of People with Disabilities (ICRPD).

**b. Philippine Laws and Policies Related to Women and GAD:**

**b.1 The 1987 Philippine Constitution** – Our fundamental law provides that “...the State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men” (Art. II, Sec. 14). It also provides that “...the State shall protect working women by providing safe and healthy working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation” (Art. XIII, Sec. 14).

**b.2 Republic Act No. 7192, “Women in Development and Nation-Building Act of 1992”** – This law promotes the integration of women as full and equal partners of men in development and nation-building. It allows women to engage in economic activities even without their husband’s consent, and provides resources for programs and activities for women, among others.

**b.3 Republic Act No. 7160, “Local Government Code of 1991”** – Local government units (LGUs) are mandated to promote the general welfare and provide basic services and facilities to their constituents under this law.

**b.4. Republic Act No. 9710, “Magna Carta of Women”** – The Magna Carta of Women (MCW) provides a comprehensive women’s human rights framework that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors. It highlights every woman’s right to protection from all forms of violence; protection and security in times of disaster, calamities, armed conflicts and other crisis situations; participation and representation; equal treatment before the law; equal access and elimination of discrimination against women in education, scholarships and training; equal participation in sports; non-



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discrimination in employment in the field of military, police and other similar services; non-discriminatory and non-derogatory portrayal in media and film; comprehensive health services, health information and education; employment leave benefits due to surgeries caused by gynecological disorders; and equal rights in all matters relating to marriage and family relations. It also guarantees the civil, political, cultural, social and economic rights of women in the marginalized sectors, particularly their right to:

- a. Food security and resources for food production, including equal rights in the titling of the land and issuance of stewardship contracts and patents;
- b. Localized, accessible, secure and affordable housing;
- c. Employment, livelihood, credit, capital and technology;
- d. Skills training, scholarships, especially in research and development aimed towards women friendly farm technology;
- e. Representation and participation in policy-making or decision-making bodies in the regional, national, and international levels;
- f. Access to information regarding policies on women, including programs, projects and funding outlays that affect them;
- g. Social protection;
- h. Recognition and preservation of cultural identity and integrity (provided that these cultural systems and practices are not discriminatory to women);
- i. Participation and representation in discussions on peace and development;
- j. Services and interventions for Women in Especially Difficult Circumstances (WEDC);
- k. Protection of girl-children against all forms of discrimination in education, health and nutrition, skills development; *and*



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1. Protection of women senior citizens.

The MCW mandates local government units and other government agencies and instrumentalities to utilize at least 5% of their total budgets on, and institute mechanisms to carry out legislations, programs, projects, services and activities addressing gender issues in their locality to promote women's empowerment and gender equality.

**c. Other Relevant National Laws and Policies**

**c.1. On Labor and Employment**

**c.1.a.** Executive Order No. 340, "Directing National Government Agencies and Government Owned and Controlled Corporations to Provide Day Care Services for Their Employees' Children"

**c.1.b.** Presidential Decree No. 442, "Labor Code of the Philippines"

**c.1.c.** Republic Act No. 6725, "An Act Strengthening the Prohibition on Discrimination Against Women With Respect to Terms and Conditions of Employment, Amending for the Purpose Article One Hundred Thirty-Five of the Labor Code, as Amended"

**c.1.d.** Republic Act No. 6938, "Cooperative Code of the Philippines"

**c.1.e.** Republic Act No. 6972, "Barangay-Level Total Development and Protection of Children Act"

**c.1.f.** Republic Act No. 7305, "Magna Carta of Public Health Workers"

**c.1.g.** Republic Act No. 7322, "An Act Increasing the Maternity Benefits of Women in the Private Sector Amending for the Purpose Section 14-A of Republic Act No. 1161, as Amended, and for Other Purposes"

**c.1.h.** Republic Act No. 7655, "An Act Increasing the Minimum Wage of Household Helpers, Amending for the Purpose Article 143 of Presidential Decree No. 442, as Amended"

**c.1.i.** Republic Act No. 7699, Portability Law



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**c.1.j.** Republic Act No. 8042, “Migrant Workers and Overseas Filipinos Act of 1995”

**c.1.k.** Republic Act No. 8187, “Paternity Leave Act of 1996”

**c.1.l.** Republic Act No. 9178, “Barangay Micro Business Enterprises (BMBEs) Act of 2002”

**c.1.m.** Republic Act No. 9501, “Magna Carta for Micro, Small and Medium Enterprises (MSMEs)”

**c.2. On Social and Economic Rights**

**c.2.a.** Republic Act No. 7394, “Consumer Act of the Philippines”

**c.2.b.** Republic Act No. 7882, “An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises, and for Other Purposes”

**c.2.c.** Republic Act No. 8289, “Magna Carta for Small Enterprises”

**c.2.d.** Republic Act No. 8425, “Social Reform and Poverty Alleviation Act”

**c.2.e.** Republic Act No. 8972, “Solo Parents’ Welfare Act of 2000”

**c.2.f.** Presidential Proclamation No. 1105, “National Rural Women’s Day”

**c.3. On Violence Against Women**

**c.3.a.** Act No. 3815, “The Revised Penal Code”

**c.3.b.** Republic Act No. 6955, “An Act to Declare Unlawful the Practice of Matching Filipino Women for Marriage to Foreign Nationals on a Mail Order Basis and Other Similar Practices Including Advertisement, Publication, Printing or Distribution of Brochures, Fliers and Other Propaganda Materials”

**c.3.c.** Republic Act No. 6981, “Witness Protection, Security and Benefit Act”

**c.3.d.** Republic Act No. 7610, “Special Protection of Children Against Abuse, Exploitation and Discrimination Act”





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- c.3.e. Republic Act No. 7877, "Anti-Sexual Harassment Act of 1995"
- c.3.f. Republic Act No. 8353, "Anti-Rape Law of 1997"
- c.3.g. Republic Act No. 8505, "Rape Victim Assistance and Protection Act of 1998"
- c.3.h. Republic Act No. 9208, "Anti-Trafficking in Persons Act of 2003"
- c.3.i. Republic Act No. 9262, "Anti-Violence Against Women and Their Children Act of 2004"
- c.3.j. Republic Act No. 9775, "Anti-Child Pornography Act of 2009"
- c.3.k. Republic Act No. 9995, "Anti-Photo and Video Voyeurism Act of 2009"
- c.3.l. Presidential Proclamation No 731, "National Awareness Week for the Prevention of Child Sexual Abuse and Exploitation"
- c.3.m. Civil Service Commission Memorandum Circular No. 30, s. 1994, "Policy on Sexual Harassment in the Workplace"
- c.3.n. Joint Memorandum Circular No. 2010-2 of the Department of the Interior and Local Government, Department of Social Welfare and Development, Department of Education and Philippine Commission on Women.

**ARTICLE II**

**Definition of Terms and Acronyms**

**SECTION 5. Definition of Terms** - As used in this Code, the following terms shall mean:

**Access** - in the development context, the means or right to obtain services, products and commodities;

- In the context of the Gender Equality and Women's Empowerment Framework, access to resources and services is an objective to gender equality, while women's mobilization to achieve equality is an element of women's empowerment; *and* an opportunity for a person to make use of existing political, economic and time re- sources or benefits.



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**Advocacy** - a conscientization strategy concerned with increasing people sensitivity to the implications of gender inequality and demand that problems of gender discrimination be identified and overcome in policies and programs.

**Battering** - any single or sporadic act of physical, emotional, psychological and economic abuse which shall include repeated and habitual cyclic pattern as a means of intimidation and imposition of the batterer's will and control over the victim's life.

**Child** - any person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/ herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.

**Commoditization of Women** - is a practice which puts women in subordinate situation, which results from the treatment of women as both consumers and objects. As consumers, women are lured to buy products to enhance their sexual and physical attractiveness; as object of consumption, the body of a woman is used to promote and sell a product or promote an activity.

**Cult** - refers to, but not limited to, fanatic groups that entice, recruit or condition any person to become sexual offerings in organizational rituals or in other circumstances as part of membership requirement.

**Development** - the improved well-being, or welfare, of people and the process by which this is achieved. It also means the sustained capacity to achieve a better life.

**Differently-abled** - those who experience one or a combination of physical and/or mental impairment with distinct needs and potentials.

**Discrimination against Women** - in the terminology of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, is any distinction, exclusion or restriction made on the basis of sex, which has the purpose or effect of denying equal exercise of human rights and fundamental freedoms in all fields of human endeavor.

**Discrimination** - overt behavior in which people are given different and unfavorable treatment on the basis of their race, class, sex and cultural status; any practice, policy or procedure that denies equality of treatment to an individual/group.

**Domestic Violence** - is physical, psychological, social or financial violence that takes place with in an intimate family-type relationship and forms a pattern of coercive and controlling behavior.

**Domestic Worker/Household Help** - one employed in the service of a family or private establishment of a person keeping the home; house servant.



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**Empowerment** - in the context of development, is individual or collective action by the disadvantaged to overcome the obstacles brought about by structural inequality. In another sense, empowerment is not only a process but also an outcome of that process.

**Fund-Raising Initiative** – It refers to any activity, whether in whole or part, integrated in any raffle draw, benefit or disco dance, premier showing of movies, or any similar fund-raising undertaking where women are used as a donor prize, substitute for prizes won, a companion package for an award, prize of recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or a special focus in order to raise fund.

**Gender and Development (GAD)** - an approach to, or paradigm of development focusing on social, economic, political and cultural forces that determine how differently women and men participate in, benefit from, and control resources and activities. It shifts the focus from women as a group to the socially determined relationship between women and men.

**GAD Advocate** - one who supports, defends, pleads or recommends active espousal of gender and development principles, objectives and processes.

**GAD Budget** - a portion of an agency's or local government unit's annual appropriation which is not an additional amount over and above its regular budget; the allocation of a substantial amount for implementing programs, projects and activities that address gender issues; the cost and sources of financing a GAD Plan.

**GAD Focal Point** - a mechanism created in all government offices to ensure the implementation, monitoring, review and updating of GAD plans; a person or group of persons tasked to facilitate and monitor the implementation of gender mainstreaming in each government agency.

**GAD Plan** - a systematically designed set of programs, activities and projects with clear objectives for addressing gender issues and appropriate strategies and activities with monitoring and evaluation indicators; a blueprint of how an agency can achieve gender responsiveness; a set of interventions designed to transform gender-blind agencies into organizations with a gender perspective; an instrument to make all aspects of the agency and its work gender-responsive; it provides the basis for the GAD budget.

**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 which are created and maintained by social institutions such as family, government, community, school, church and media. Certain roles traits and characteristics are assigned distinctly and strictly to women and men because of gender.



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**Gender Awareness** - ability to identify problems arising from gender inequality and discrimination, even if these are not evident on the surface and are “hidden” or are not part of the general and commonly accepted explanation of what and where the problem lies; means high level of gender conscientization.

**Gender Equality** - women and men enjoy the same status and conditions and have equal opportunity from realizing their potential to contribute to the political, economic, social and cultural development of their countries. They should also benefit equally from the results of development.

**Gender Equity** - moves beyond a focus on equal treatment. Giving to those who have less on the basis of needs and taking steps to compensate for historical and social disadvantages that prevent women and men from otherwise operating on a level playing field. Equity can be understood as the means, and equality is the end. Equity leads to equality.

**Gender-Fair** - a situation where women and men share equally in responsibilities, power, authority and decision-making.

**Gender Issues and Concerns** - issues, concerns and problems arising from the distinct roles of women and men and the relationships between them; affairs and involvement arising from societal expectation and perception on the roles of women and men reflected in and perpetuated by law, policies, procedures, systems, programs, activities and projects of the government. These impede the opportunities for women to participate in the development process and enjoy its benefits.

**Gender Mainstreaming or GAD Mainstreaming** - a set of processes and strategies that aims to ensure the recognition of gender issues on a sustained basis; a strategy to integrate women’s and men’s concerns and experiences in the design, implementation, monitoring and evaluation of policies, programs, projects in all political, economic and social agenda.

**Gender Planning** - the practical application of the skills acquired from gender studies and gender training in designing government plans, programs and projects; it recognizes that women and men have different roles in society and often have different needs as well.

**Gender Responsiveness** – the consistent and systematic attention given to the differences between women and men in society with a view to addressing structural constraints to gender equality.

**Gender Sensitivity** – the ability to recognize gender issues and to recognize women’s different perceptions and interests arising from their different social position and gender roles.



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**Gender Statistics** – information and data that provide not only comparisons between women and men but ensure that their participation in, and contribution to, society are correctly measured and valued.

**Governance** – the manner in which power is exercised in the management of a country's/ organization's resources and affairs for development; how a government/organization establishes, maintains and deepens its relationship with its constituents/members. It comprises the mechanisms, processes and institutions, through which citizens and groups articulate their interests and exercise their legal rights.

**Indecent Live Shows** – shows which include nude and/or other provocative gestures/acts in public or private places which further project and exhibit women and children as sex objects for commercial and entertainment purposes.

**Law Enforcers** – refers to the members of the Philippine National Police, the Barangay Tanods and anybody who is tasked or deputized by an appropriate authority in enforcing national and /or local laws.

**Local Economic Development** – is the process by which actors within the localities (governments, private sector and civil societies) work collectively with the result that there are improved conditions for economic growth, employment generation and quality of life.

**Local Economic Development** – is the process by which actors within the localities (governments, private sector and civil societies) work collectively with the result that there are improved conditions for economic growth, employment generation and quality of life.

**Mail-Order Bride** – It is a practice where a woman establishes a personal relation with male-foreign nationals via mail, electronic or similar means, upon recruitment by an individual or agency for the purpose of exploiting women in guise or marriage.

**Mainstream** – in the context of GAD, an interrelated set of dominant ideas and development directions and the organizations that make decisions about resource allocation and opportunities for development.

**Micro-Enterprise** – business category whose total asset value ranged from P3,000,000 or less with 1-9 employees (as defined by DTI).

**Migrant Desk** – a unit within the LGU which attends to the concerns of migrant workers and their families in the different phases or cycle of migration.



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**Participation** – the direct involvement of the marginalized in the development process to build their capability to access and control resources, benefits and opportunities so as to gain self-reliance and an improved quality of life.

**Pedophilia** – when an adult has sexual desire for children or sexual intercourse or act of lasciviousness by an adult with a child.

**Persons with Disability** – are those with physical impairments that have differentiated needs and potentials.

**Persons with Sexual Preference** – persons of either the female or male sexes who by choice, prefer to identify themselves other than their natural identity. They include lesbians, gays, bisexuals and transgenders.

**Pornography** – refers to a sexual explicit material such as films, magazines, writings, photographs, internet, mobile phones or other materials that are sexually explicit and intended to cause sexual arousal.

**Prostitution** – an act of a woman in habitually indulging herself in sexual intercourse or lascivious conduct for money or profit as defined under Article 202 of the Revised Penal Code as amended by Republic Act No. 10158.

**Reproductive Health and Sexuality Education** – state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to reproductive system and to its functions and processes.

**Sex** – refers to the natural distinguishing variable based on biological characteristics of being a woman or a man; also refers to the physical attributes pertaining to a person's body contours, features, genitals, hormones and reproductive organs.

**Sexism** – system and practice of discriminating a person on the basis of sex.

**Sex-Disaggregated Data** – statistical information that differentiates between women and men and allows one to see where the gaps are in their position or condition.

**Sexual Exploitation** – the participation or engagement of a person for any sexual act in exchange for cash, profit or other consideration as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud or through abuse of his/ her vulnerability.



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**Sexual Act** – sexual intercourse, including genital-to-genital, oral-to-genital, anal-to-genital, or oral-to-anal intercourse or contact, bestiality, masturbation, sadistic or masochistic abuse, exhibition of the genitals or pubic area of any person, and other acts of a sexual nature whether the same is made between persons of the same or opposite sex.

**Support Group** – a number of persons who provide assistance to keep a person from falling or declining in a crisis situation.

**Survivor-Victim** – one who endures any act of gender-based violence that results in physical, sexual or psychological harm or suffering including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private.

**Trafficking in Women** - A covert or overt recruitment of women into the sex trade industry. It includes new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor to work in developed countries, and organized marriages between women from third world countries and foreign nationals, promoting or initiating a system in which women become movable properties and objects of exchange.

**Violence Against Women** - any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such act, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life as defined in the UN Declaration on the Elimination of Violence against Women.

**Women's Economic Empowerment** – a state wherein women have access to and control over high-value productive resources and enjoys the benefits from wealth-creating opportunities equal with men including information, credit, loans or financial assistance, training, market, technology, decent jobs and human working conditions and balanced family life.

**SECTION 6. Acronyms** - The following acronyms stand for:

**ALS** - Alternative Learning System

**BPLS** - Business Permit and Licensing Section

**CODI** - Committee on Decorum and Investigation

**LGU** - Local Government Unit

**NGA** - National Government Agency

**OFW** - Overseas Filipino Worker



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**PSWDO** – Provincial Social Welfare and Development Office

**PESO** - Provincial Employment Services Office

**PNP** - Philippine National Police

**PO** - People's Organization

**RH** - Reproductive Health

**VAWC** - Violence Against Women and Children

**WCPD** - Women and Children's Protection Desk

**CHAPTER II**  
**GAD CONCERNS**

**ARTICLE III**  
**National Laws and International Instruments on Women Empowerment  
and Gender and Development**

**SECTION 7. Implementation and Enforcement of National Laws and International Instruments** - The provincial government shall ensure the implementation and enforcement of mandates of local government units under national laws and international instruments on, or related to, women empowerment and gender development such as, but not limited to, those enumerated in Section 4 of this Code. It shall also coordinate with local government units, other government departments, agencies, institutions and instrumentalities with offices within the province in order to ensure the implementation and enforcement of the same.

**ARTICLE IV**  
**Women Empowerment and Gender Equality**

**SECTION 8. Promotion of Women Empowerment and Gender Equality** – In order to promote women empowerment and gender equality in the province, the provincial government shall:

- a. Promote and ensure equality of all persons in its ordinances and policies, plans, programs, projects, services and other activities; and





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- b. Ensure that rights of women are protected in the province.

**SECTION 9. Promotion of Gender Equality through Pre-Marriage Counseling** - The provincial government shall continue to protect and strengthen the sanctity of marriage as an institution.

**ARTICLE V**  
**Education**

**SECTION 10. Gender-Sensitive Counseling and Career Programs** – Public and private educational institutions within the province are encouraged to promote gender-sensitive counseling and career education programs to their students. This is to broaden and widen their perspectives and career opportunities through the pursuit of all kinds of employment opportunities as well as their own businesses.

**SECTION 11. Gender-Sensitivity Education** – The provincial government, through its Provincial Social Welfare and Development Office (PSWDO), and in coordination with the Department of Education (DepEd) and Commission on Higher Education (CHED), shall raise the level of awareness of administrators, teachers, and staff of all education and learning institutions in the province through the following measures:

- a. Gender Sensitivity Orientation and Training Seminars;
- b. Encouraging the integration of sex and gender education in the formal education system as a special course with due consideration to the level of need and comprehension of target students; *and*
- c. Popularization in the schools within the jurisdiction of the province of core messages on gender-free education namely:
  - c.1. shared parenting;
  - c.2. shared home management;
  - c.3. shared decision-making;
  - c.4. equalized opportunities;
  - c.5. equalized representation and enhanced participation of women in public affairs and business; *and*



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c.6. elimination of violence against women.

**SECTION 12. Gender-Responsive Non-Formal Education for Unemployed Women Adults and Out-of- School Youth** – The provincial government, in cooperation with the DepEd, Technical Education and Skills Development Authority (TESDA) and all educational institutions within the jurisdiction of the province, shall endeavor to promote non-formal education for unemployed women adults and out-of-school youth through technical education and skills training. It shall design education and training programs in cooperation with the appropriate agencies of the national government that would develop and harness their capabilities for employment or to start their own businesses in order to uplift their lives and contribute to the general development of the province. Discussions of pertinent laws and concerns related to women shall be made part of these education and training programs.

**ARTICLE VI**  
**Culture and Mass Media**

**SECTION 13. Support for Indigenous Forms and Other Media and Information Communication Technology** – Media advocacy on women’s rights and gender-related concerns through indigenous forms and expressions as well as new technologies of communication shall be supported and encouraged in the Province of Pangasinan.

**SECTION 14. Gender-Sensitive Portrayals in Media** – The Provincial Government Shall oblige all media institutions to be sensitive in the portrayal of women’s and men’s role, encourage positive image of women, and discourage sexist and homophobic print materials and broadcast programs.

**SECTION 15. Gender-Sensitivity Training for Local Media Practitioners** - The provincial government shall encourage and support the conduct of gender-sensitivity workshop trainings for local media practitioners at the community level and tertiary schools located in the province. It shall likewise provide full support to media practitioners and freelance/independent media productions that advocate gender-sensitive issues through various forms of incentives and recognitions.

**SECTION 16. Regulation on Internet Cafes and Computer Shops** - The provincial government shall regulate the operation of internet service-providing establishments and entertainment computer shops in order to curb and prevent the proliferation of access to cybersex pornography of women and minors.



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**SECTION 17. Regulation of Media Coverage during Police Raids on Entertainment Establishments** – The provincial government shall regulate the media coverage entertainment establishment raid operations for the exploitation of women and men entertainers and their unnecessary body public exposure and humiliation.

### ARTICLE VII Environment

**SECTION 18. Integrated Gender-Sensitive and Environmental-Friendly Plan of the Province** - An integrated gender-sensitive and environment - friendly plan of the Province of Pangasinan shall constitute the following, but not limited to:

- a. **Zonification Plan** - The Province shall ensure that:
  1. relocation of communities shall not deprive women and men of their sources to livelihood;
  2. relocation sites shall not contribute to an increase in women's burden in economic, home and social production;
  3. housing and industrial project sites shall be those unproductive lands unsuitable for economic purposes; *and*
  4. industrial center for light industry shall be placed in key districts of the Province while the heavy industry shall be centralized in one district.
- b. **Community-Based Environment Plans and Programs.** - Both men and women shall participate in pollution control, zero waste technology development and management preservation of the province's remaining tree parks and aquatic resources.
- c. **Gender-Sensitive Natural Resource-Based Management Programs.** - The provincial government shall engage in the development of gender-sensitive natural resource-based managements programs.
- d. **Role of Women and Men in Environmental Impact Assessment Projects.** - The provincial Government shall promote the active role of women vis-à-vis men environmental impact assessment shall consciously determine sex-disaggregated data.



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- e. **Promotion of Appropriate Technology.** - The Provincial Government of Pangasinan shall actively promote alternative technologies that are appropriate and safe for women.

**SECTION 19. Care, Protection and Management of the Environment** – The provincial government shall:

- a. Ensure the active participation and involvement of women in environmental decision-making at all levels;
- b. Integrate gender concerns and perspectives in policies and programs for sustainable development;
- c. Strengthen or establish mechanisms to assess the impact of development and local environmental policies on women; *and*
- d. Ensure women's enjoyment of their equitable share of benefits from sustainable resource use and quality environment.

**ARTICLE VIII**  
**Health**

**SECTION 20. Promotion of the General Health of Women** - The provincial government shall ensure the promotion of the general health of all women in the province. In this regard, it shall:

- a. Endeavor to provide women access to a full range of comprehensive health services including the prevention and treatment of diseases and sexual and reproductive health services throughout their life cycle;
- b. Recognize and respect the equal right of married women to decide on the number of children and the number of years between pregnancies, and to shared parenting; *and*
- c. Ensure the consistency of local ordinances, policies, programs, projects, services and other activities with women's human rights including family planning and sexuality education programs for adolescents, reduction of maternal and child mortality rates, removal of barriers to women's access to health services, information and education.



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**SECTION 21. On the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) and Other Sexually-Transmitted Diseases (STDs)** – With regard to the HIV/AIDS and other STDs, the Province of Pangasinan shall:

- a. Pursue gender-sensitive initiatives that address sexually transmitted diseases (STDs), (HIV/AIDS), and sexual and reproductive health issues;
- b. Research and information dissemination on the health of women in the province; and
- c. Allocate a reasonable amount of the provincial budget to monitor HIV/AIDS and STD cases.

**SECTION 22. Men's Involvement in Reproductive Health** – Reproductive health programs and projects which include among others trainings and seminars shall involve men, recognizing their crucial role in the maintenance of women's health and well-being.

**SECTION 23. Capacity Development for Health Providers** – The provincial government shall include capability building programs and activities for health personnel and health care providers. These shall include, among others, Gender Sensitivity Training to ensure efficiency and gender responsiveness in health care management and delivery.

**SECTION 24. Gender-Sensitive and Responsive Health Service** – City and Municipal Health Centers shall provide gender-sensitive and gender-responsive services in the delivery of health services.

**SECTION 25. Reproductive Health Care** – The provincial government shall pursue programs on the following elements of reproductive health:

- a. Maternal and child health and nutrition;
- b. Family planning information and services;
- c. Prevention of abortion and management of its complications;
- d. Adolescent and youth health;
- e. Prevention and management of reproductive tract infections (RTIs), HIV/AIDS and other STDs;



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- f. Elimination of violence against women;
- g. Education and counseling on sexuality and sexual health;
- h. Treatment of breast and reproductive tract cancers and other gynecological conditions;
- i. Male involvement in reproductive health; *and*
- j. Prevention and treatment of infertility and sexual dysfunction.

**SECTION 26. Promotion of Breastfeeding** - Breastfeeding shall be promoted in the Province of Pangasinan. Accordingly, all health and non-health facilities, establishments or institutions shall establish lactation stations as provided under Section 11 of Republic Act No. 7600, the "The Rooming-In and Breastfeeding Act of 1992", as amended by Republic Act No. 10028 otherwise known as the "Expanded Breastfeeding Promotion Act of 2009". Nursing employees shall be granted the privileges as provided under Section 12 of RA 7600, as amended. Any private non-health facility, establishment and institution which unjustifiably refuses or fails to comply with this provision shall be sanctioned according to the provisions of Section 21 of the same law, as amended.

**SECTION 27. Weighing of Infants, Children, Pregnant and Lactating Mothers** – All city and municipal health centers and stations shall undertake a program for the weighing of infants, children, pregnant and lactating mothers in order to assess and address their nutrition needs. Reports shall be submitted to the Provincial Health Office for the programming and identification of necessary interventions. This shall also include school children.

**SECTION 28. Health Care Delivery** – Quality health care and services shall be accessible to all women and men regardless of age, sex, creed, religion and ethnicity in Pangasinan.

No hospital in the province shall deny women and men living below the poverty line of health services. A certificate of indigency shall be issued by the punong barangay for purpose of verifications.

In case of emergency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socio-economic status of the patient for admission purposes.

The provincial government must ensure regular expansion and upgrading of health care facilities to ensure their access by all women and men.



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**SECTION 29. Women's Control Over their Bodies** – Women's decision to attain healthy sexual development and achieve their reproductive intensity shall be given appropriate support and guidance by all health professionals, private and public, at a very minimal cost. Provision of accurate and appropriate information on these matters and corresponding services shall be made available.

**SECTION 30. Gender-Sensitive Women and Children Protection Unit (WCPU)** – The provincial government shall establish a Gender-Sensitive Crisis Intervention Unit at 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.

**SECTION 31. Gender-Fair Approach to Premarital Counseling Program** – The Provincial Health Office and the Provincial Social Welfare and Development Office shall ensure gender sensitive conduct required in the application for marriage license with the Municipal or City Civil Registry.

**SECTION 32. Mainstreaming Reproductive Health Framework through Primary Health Care Strategy** – In consonance with the Provincial Health Office's policies, Children's Youth and Welfare Code, and in pursuance of agreements made at the International Conference on Population and Development (ICPD), the Provincial Government shall mainstream the Reproductive Health Approach in health care services delivery using the primary health care strategy.

**ARTICLE IX**

**Infrastructure, Science and Technology**

**SECTION 33. Role of Women** – The increased participation of women in infrastructure, science and technology projects of the provincial government shall be enhanced and promoted. This is to ensure that women will also benefit from these projects as their specific needs are addressed.

**SECTION 34. Facilities for Men, Women and Persons with Disabilities** – All government and private offices, clinics, hospitals and other establishments shall have separate toilet facilities for men, women and persons with disabilities.

**SECTION 35. Gender-Sensitive Physical Plan** – All public and commercial buildings and structures should be designed to prevent sexual harassment and abuse. The provincial government shall ensure that all private or public infrastructure projects provide safety, accessibility and easy mobility for women, especially pregnant women, children, elderly and persons with disabilities.



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### ARTICLE X Labor and Employment

**SECTION 36. Mechanism to Monitor Compliance with Labor and Other Existing Laws** – The provincial government, in coordination with the Department of Labor and Employment (DOLE), the Civil Service Commission (CSC) and other concerned agencies, shall establish mechanisms to monitor all offices, agencies and establishments operating within the province to ensure strict compliance with the provisions of the Labor Code and existing laws especially those pertaining to children, women and labor.

**SECTION 37. Non-Discrimination in Employment** – All institutions, establishments and employers within the province shall implement non-discriminatory policies with respect to recruitment, promotion, salary and terms and conditions of employment.

**SECTION 38. Wage and Benefits for Women** - Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or as stipulated by pertinent legislation passed by Congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, and other benefits provided by law. The same provision shall apply to benefits covered by the Collective Bargaining Agreement (CBA) between the employee's union and management.

**SECTION 39. Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the Private Sector** - Additional maternity leave benefits up to sixty (60) days from forty-five (45) days mandated by law under RA 8283, shall be extended to women employees in private offices and commercial/industrial establishments located in the Province, who have rendered at least one 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 care and breastfeeding of the newborn baby by the concerned employee.

**SECTION 40. 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 province, 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 care of the new-born baby by the concerned employee.





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**SECTION 41. Increase Reproductive Health Benefits for Women** - A yearly twelve (12) day menstrual/menopausal leave for women employees in private offices and commercial/industrial establishments located in the Province, who have rendered at least one year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement between the concerned employee's union and management. Provided, further, that this benefit shall be taken one-day each month for menstrual or menopausal leave.

The provincial government shall set up/create its own Committee on Decorum and Investigation (CODI) that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all provincial officers and employees in accordance with the provision of RA 7877 and the Civil Service Rules and the Regulations on Sexual Harassment.

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

**SECTION 42. Setting up Grievance Machinery** - A grievance committee shall be set up in all government and private offices, commercial/industrial establishments located in the province, to act on complaints/cases related to various forms of discrimination against women in the workplace such as hiring, job training, promotion, and the like.

**SECTION 43. Equal Access to Job Training Promotion** - No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status.

**SECTION 44. Barangay-Based Househelp Support** – All barangays in the Province of Pangasinan shall conduct compulsory education for both house helpers and house helper employers on gender sensitivity. An administrative sanction shall be imposed to any Barangay Council who fails to comply with this provision.

**SECTION 45. Women in the Entertainment Industry** - Women engaged in legitimate occupation in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionists, shall be recognized as wage earners and shall receive minimum wage benefits afforded to women workers and shall render services as set in the job contract and only in the place of work as specified in the business permit of the establishments concerned. It must be emphasized that employing minors in the entertainment industry is prohibited in accordance with RA 7658.



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**SECTION 46. Police Operations in Entertainment Establishments** - All police operations or raids conducted in any entertainment establishment must be undertaken with utmost care and respect for human rights. Police Officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision is punishable under the Revised Penal Code and other related laws.

**SECTION 47. Orientation on Gender Sensitivity and Sexual Harassment** – All government agencies and private establishments and institutions within the province shall conduct an annual orientation on gender sensitivity and sexual harassment for their new employees through the assistance of the Provincial Social Welfare and Development Office of the province. A Certificate of Compliance in this connection shall be issued by the provincial government to agencies and private establishments and institutions upon compliance with this requirement.

**SECTION 48. Facilities and Support System for the Well-being of Employees and Workers** – Employers shall ensure the health, safety and well-being of all their employees and workers. In this regard, employers shall endeavor to:

- a. Encourage the establishment of separate toilets, lavatories and lounge for women and men and provide at least a dressing room for women;
- b. Set up a home care center in the workplace where working mothers may have breastfeeding, child-rearing and early childhood care and development activities: Provided, that said activities will not affect the quality of their work;
- c. Institute flexible working arrangements to accommodate the various responsibilities of women and men to their families; and
- d. Ensure that the working environment shall not only be conducive and safe but also be gender-sensitive to prevent sexual harassment, sexual abuse and other forms of maltreatment.

**SECTION 49. Inventory of Domestic Workers** – The Province of Pangasinan shall ensure the implementation of Republic Act No. 10361 or the “Domestic Workers Act” especially as it pertains to the protection and benefits of domestic workers. A mechanism shall be established by the provincial government, through its appropriate office and in coordination with the Department of Labor and Employment (DOLE), to monitor cases of maltreatment, sexual harassment and other forms of sexual abuse of domestic workers. The provincial government shall provide assistance and other forms of support to domestic worker victims.



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**SECTION 50. Support to Overseas Filipino Workers (OFW), Migrant Workers and their Families** – A Migrants’ Desk to primarily coordinate and address the concerns of OFWs, migrant workers and their families shall be established by the provincial government. The Migrant’s Desk shall, in coordination with the DOLE, the Philippine Overseas Employment Administration (POEA) and other appropriate departments and agencies of the national government, also assist:

- a. in tracking and verifying the legitimacy of recruitment or employment agencies;
- b. to ensure that the Pre-Employment Orientation Seminar (PEOS) required under Republic Act No. 8042 (RA 8042) or the Migrant Workers and Overseas Filipino Act, is given to prospective overseas workers and their families to inform them on overseas labor and employment conditions in their preferred countries of employment;
- c. in monitoring of OFWs during their deployment in the labor-receiving countries and act accordingly with regards to violations of RA 8042; and returning OFWs and migrant workers who no longer wish to go abroad, look for local employment or establish their own businesses.

**SECTION 51. Gender-Neutral Evaluation System for Provincial Government Employees** – The provincial government shall evaluate the existing job and performance evaluation system in order to ensure that all employees, regardless of gender, are given equal opportunities for promotion. It shall develop a gender - neutral criteria that would facilitate the comparison of the value of jobs of different nature, in which women presently predominate, with those jobs in which men presently predominate.

**ARTICLE X**

**Violence Against Women, Prostitution and Trafficking**

**SECTION 52. Violence against women shall include but shall not be limited to:**

- a. Physical, sexual, and psychological violence occurring in the family regardless of relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.



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- b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in education institutions and elsewhere, trafficking in women, and forced prostitution.
- c. Violations of the human rights of women in situations of armed conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery, and forced pregnancy.
- d. Forced sterilization and forced abortion, social stigmatization, coercive/forced used of contraceptives prenatal sex selection, female infanticide, forced medical or psychological examinations without expressed approval of the concerned person.
- e. To buy and sell woman or any of her body parts for profit.
- f. Sexual harassment and assault of women detention.

**SECTION 53. Sexual Abuse** – Sexual abuse shall include but shall not be limited to the following:

- a. When a man inserts or attempts to insert his penis into the mouth, genital or anus of a woman under any of the following: through force, threat or intimidation; by means of abuse of authority or relationship; when the offended part is deprived of reason or is otherwise unconscious;
- b. When the offended party is below twelve years old, even though none of the above circumstances is present.
- c. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into genital or anus of a woman under any of the situations stated in paragraph 1.
- d. When a person subject another to have sexual intercourse with an animal under any of the circumstances stated in paragraph 1 or through any abnormal, unusual or ignominious sexual act.
- e. Sexual abuse in intimate relationship consisting of any form of forced sexual act by partner to the other within intimate relations as defined in the Anti-Rape Law of 2001, such as those between women relations, married or unmarried, legally separated or separated in fact.



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- f. Incestuous abuse committed by any person who has authority over a person by virtue of consanguinity and/or affinity such as those perpetrated by father, mother, grandparent, brother, sister, whether whole or half-blood; an uncle, aunt, nephew or niece or cousin to the fourth degree.

**SECTION 54. Partner/Wife Abuse and Battering** – Abuse and battering constitute the following kinds of behavior, but shall not be limited to:

- a. **Physical abuse and battering** – this includes any form of inflicting wounds, pain, etc. on any part of the women's body or the threat of physical violence.
- b. **Sexual abuse and assault** – this includes physical attacks on the women's breast/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.
- c. **Psychological abuse** – this includes threats suicide, violence against the women of her family, punching, breaking, or defacing otherwise destroying the house or any part thereof; or of personal belongings of a woman, threatening to take the children away, threatening to kidnap children or take them to a foreign country and forcing the victim to do degrading things; controlling the victim's lawful or usual activities, the use of foul and insulting words or statements and threats of abandonment and expulsion such as forcing the wives to leave the conjugal dwelling. This provision shall apply to any form of intimate relations such as common-law relations; those who between and among members of the same household; and includes men's control over women's resources (e.g. income, property, etc.).
- d. **Economic abuse** – this includes deprivation of women on economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination such as controlling over women's hard-earned money and using them for his vices, etc.

**SECTION 55. Other Forms of Sexual Harassment** – Other than the definition provided by RA 7877, the following constitute sexual harassment, some of which are covered by the revised Penal Code under Acts of Lasciviousness;

- a. Persistent telling of offensive jokes such as green jokes or other analogous statements to someone who finds them offensive or humiliating;
- b. Taunting a person with constant talk about sex and sexual innuendoes; displaying offensive or lewd pictures and publications in the workplace;



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- c. Interrogating someone about sexual activities or private life; during interviews for employment, scholarship, grant or any lawful activity applied for;
- d. Making offensive hand or body gestures at someone;
- e. Repeatedly asking for dates despite verbal rejection;
- f. Touching, pinching, or brushing up against someone's body unnecessarily or deliberately;
- g. Kissing or embracing someone against her will;
- h. Requesting sexual favors in exchange for a good grade, obtaining a good job or promotions, etc.;
- i. Cursing, whistling or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as 'puta', "peste", "pokpok";
- j. Any other unnecessary acts during physical examinations;
- k. Requiring women to wear suggestive provocative attire during interviews such as job hiring, promotion, admission; *and*
- l. Any expression of gender bias against a person with the intension to embarrass, humiliate, and stigmatize.

**SECTION 56. Pedophilia** – Pedophilia shall include, but shall not be limited to the following:

- a. When the offender shall have sexual intercourse with a boy or girl child;
- b. When the offender shall have anal intercourse with a boy or a girl child;
- c. When the offender does other sexual acts such as fondling, kissing the private parts of a girl or boy child or taking photographs/video of the same for pornography; *and*
- d. When the offender shall have in possession of pornographic photographs/videos of the same.



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**SECTION 57. Commercial Exploitation of Women/Men and Girls/Boys** - It shall be unlawful for any person to sell or market women's and girl's bodies in various forms packaging. These include but are limited to the following:

- a. Prostitution which is selling a woman's body mainly for sex;
- b. Printing, publication, display, and distribution of pornographic scenes in movies/TV shows, trailers, posters, billboards and other materials and literature that treat women/men and girls/boys as sex objects and commodities; *and*
- c. Pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and /or live shows whether women or girl-children or influenced or forced to dance or do naked shows in public or private places for various purposes.

**SECTION 58. Non-Discrimination of Gays, Lesbians, Bisexuals, and Transgender** – It shall be regarded a violation of human rights to discriminate against any person on the basis of his/her sexual preference of orientation for employment, participation in provincial development programs and projects, and/or other family or community activities.

**SECTION 59. Implementation and Enforcement of National Laws** – The provincial government shall ensure the implementation and enforcement of all laws and international instruments that are aimed to prevent and eliminate violence against women. It shall likewise ensure the implementation and enforcement of all laws and international instruments that protect women and children from trafficking, prostitution and such other related acts that violate their dignity as human beings.

**SECTION 60. Education on Laws and Policies Addressing Gender-Based Violence** – The provincial government shall provide education on laws and policies addressing gender-based violence which shall consist of, but not limited to, the following:

- a. public information through comprehensive and multi-level information and education campaigns in close coordination and partnership with civil society organizations;
- b. the continuous development of the capacity of service providers and front liners in handling cases of violence against women through trainings and other capability development activities;



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- d. the conduct of research, through the Provincial Social Welfare and Development Office, on the nature and causes of gender-based violence in the province in order to be able to develop a database for proper intervention and legislation; *and*
- e. periodic capability development activities for employees and officials of the local government and barangays on gender-based violence especially in handling VAWC cases.

**SECTION 61. Prostitution and Trafficking of Women** – The Province of Pangasinan recognizes that prostitution and trafficking of women are human rights violations as these are forms of sexual exploitation and violence against women and children. The provincial government shall therefore undertake measures that would prevent or stop these illegal activities in the province.

**SECTION 62. Monitoring of Entertainment and Other Business Establishments** – The provincial government, through its appropriate offices/departments, shall conduct regular inspections of entertainment establishments to ensure that these are not used as brothels or fronts of prostitution and trafficking. It shall also monitor local print and broadcast media as well as other business establishments, to include movie houses, video shops, computer shops, cable companies, books or other forms of audio-visual channels or instruments, against pornographic activities that degrade women and children.

### ARTICLE XII

#### Women with Special Concerns and Other Disadvantaged Sectors

**SECTION 63. Muslim and Other Indigenous Women** – The provincial government shall endeavor to address the unique concerns of Muslim and other indigenous women living in the province which includes among others, concrete interventions that preserve and promote the observance of their cultural traditions that are gender- fair and empowering for women.

**SECTION 64. Women Migrant Workers** – The provincial government shall endeavor to address the circumstances which contribute to the specific vulnerability of women migrant workers. It shall conduct a study, in cooperation and coordination with other departments and agencies of the national government, of the experiences of sex and gender-based discrimination as a cause and consequence of the violation of their human rights of its residents who are women migrant workers.





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**SECTION 65. Children** – The Province of Pangasinan adheres to the principle that the primary consideration guiding all actions concerning children must be the best interests of children, taking into account the rights and duties of parents or others who are legally responsible for them, irrespective of the children's or their parent's or legal guardian's race, color, sex, language, religion, national, ethnic or social origin, disability or other status.

**SECTION 66. Women with Disabilities** – The provincial government shall promote and protect the rights and interests of women with disabilities. It shall ensure that gender-free programs and projects shall be developed towards this respect which shall include, but not be limited to, the following:

- a. organization of persons with disabilities;
- b. creative employment opportunities for persons with disabilities that recognize their different conditions and full potentials as human beings;
- c. generation of a database of persons with disabilities through the Barangay Councils in order to come up with appropriate intervention measures to address their needs;
- d. require the appropriate city and municipal bodies to monitor and report cases of harassment against persons with disabilities to the Provincial Social Welfare and Development Office and the PNP; *and*
- e. implementation and enforcement of the provisions of Republic Act No. 9442, as amended, otherwise known as the Magna Carta for Persons with Disabilities.

**SECTION 67. Persons with Sexual Preference** – The human rights and fundamental freedoms, including freedom from violence and discrimination, of lesbians, gays, bisexuals and transsexuals are guaranteed in the Province of Pangasinan. The provincial government shall endeavor to ensure the elimination of prejudices and all practices towards members of this sector.

**SECTION 68. Organization of Different Women in the Community** – It shall be the duty of the Barangay GAD Committee to organize differently-abled women in the community in order to advance the interests of this special group of women and to monitor and report cases of harassment and discrimination committed against differently-abled women.

**SECTION 69. Mobilizing Support for the Elderly Women in the Community** – It shall be the duty of the Barangay GAD Committee to organize elderly women within the Barangay to advance their practical and strategic interests and needs. The provincial government and the Barangay GAD Committee shall allocate funds for emergency assistance, yearly physical health's check-ups, social group's work program, and appropriate socio-economic activities.



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**SECTION 70. Support to Women in Detention** – The rights of all women shall be protected in insuring them to (a) a speedy trial of their 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.

**ARTICLE XII**  
**Women and Governance**

**SECTION 71. Creation of Barangay-Based Women's Organizations** – In order to provide venues for the conduct of activities and programs for the development and empowerment of women at the grassroots, the formation or establishment of women's organizations at the barangay level shall be encouraged. The provincial government shall help in their organization and undertake their accreditation.

**SECTION 72. The Provincial Council of Women** – A Provincial Council of Women composed of representatives from accredited city and municipal organizations shall be organized in the province. It may serve as a consultative body to the Sangguniang Panlalawigan on issues and concerns affecting women.

**SECTION 73. Representation of Women in Local Special Bodies** – The provincial government shall ensure the implementation of laws that mandate the participation of women in all local special bodies. It shall likewise ensure that the sector of women is represented in the Municipal, City and Barangay Development Councils.

**SECTION 74. Gender Balance in all Levels of Local Government Positions** – The provincial government shall promote gender balance or equal proportion and opportunity for qualified women and men employees to key positions at all levels of local governance.

**SECTION 75. Support for Women Capability Development** – Mechanisms to support women's capability development shall be adopted by the provincial government which shall consist of, but not limited to, the following:

- a. measures, programs and projects that will encourage women to run for public office at all levels;
- b. provision of opportunities for women's participation in governance;
- c. conduct of leadership trainings and other seminars that would develop and strengthen the leadership and governance skills of women; *and*
- d. generation of a database on the situation of women in relevant fields or subject matters.



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**SECTION 76. Promoting Gender Balance in all Levels of Local Government Positions -** The provincial government shall promote gender balance of qualified women and men for opportunity to assure key positions at all levels of local government, whether elective or appointive. This should form part of the government's efforts to eliminate barriers to women's participation in the public sphere. This shall include their equal representation in the structure of the City Development Council (CDC), Municipal Development Council (MDC) and the Barangay Development Council (BDC).

**SECTION 77. Barangay Gender and Development Committee -** All Barangays shall establish their respective Barangay Gender and Development Committee to ensure that gender issues and concerns are incorporated and addressed at the Barangay level and reflected in Barangay development plans. All accredited women's organizations with mass membership at the community level shall be represented in the committee as cluster.

In recognition of women's contributions to society, commercial establishments shall be encouraged to give a twenty (20%) discount for women in March 8. Implementation guidelines shall be provided in this Code's Implementing Rules and Regulations.

**SECTION 78. Day of Action for Breast Cancer Awareness -** The provincial government shall set a day in the third week of March to organize information campaign activities on breast cancer, one of the top causes of maternal mortality. A coordinated Provincial, City, Municipal and Barangay level activities shall be set and spearheaded by the Provincial Health Office to promote consciousness on breast cancer.

**SECTION 79. Girl Child Week -** The provincial government shall set the first week of October to organize activities to celebrate the Girl Child Week, with special recognition of cases of working children. It shall be spearheaded by the Divisions of Schools and the Provincial Social Welfare and Development Office.

**SECTION 80. International Day of Action for Women's Health -** The provincial government shall set May 28 to mark the International Day of Action for Women's Health, Wellness and Well-being when issues and concerns relative to the protection and promotion of women's health shall be examined, deliberated, projected and government action sought. A coordinated municipal and barangay level activities shall be set and spearheaded by the GADRCO and the Provincial Health Office to promote women's health well-being.

**SECTION 81. International Week of Action against Gender-Based Violence -** The provincial 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



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International Week of Action Against Gender-Based Violence and on International Human Rights Day. The activities shall be spearheaded jointly by the Provincial Social Welfare and Development Office, the Department of Health, Barangay Operations Center, and the Provincial GAD Focal Point System (PGFPS).

**SECTION 82. Pangasinan Gender and Development Summit** - The provincial government shall set a day in April to hold a Gender Development Summit as part of the Province's Foundation Day Celebration. A committee shall be convened to manage and coordinate the activities and affairs of the summit focusing on (a) the current situation of women in the Province of Pangasinan; and (b) women's issues and concerns and how these can be addressed. The summit shall come up with priority issues with their specific action points to be disseminated and proposed for adoption at the city, municipal and barangay councils.

**SECTION 83. Peace Based on Social Justice and Human Rights** - The provincial government network shall promote peace education at the Barangay level through affirmative action and information campaign activities on peace and development issues based on social justice and human rights to be spearheaded by barangay leaders in coordination with community-based women, and people's and non-government organizations.

**ARTICLE XIV**  
**Trade and Industry**

**SECTION 84. Local Economic Development and Women Economic Empowerment** – In accordance with the thrust of the Province of Pangasinan to promote local economic development and women's economic empowerment, the following shall be undertaken:

- a. **Establishment of a Sustainable Micro-Enterprise Development Mechanism.** – The provincial government shall promote and support small and medium entrepreneurial undertakings as a tool for women empowerment in the province. It shall formulate programs, projects, development strategies, structures and processes to ensure local economic development and women's economic empowerment in line with the Comprehensive Development Plan.
- b. **Establishment of Database on Micro-Enterprises.** – The provincial government, through its appropriate offices/departments, shall undertake a mapping of micro-enterprises within the province in order to establish a database that shall be used as basis to craft policies, plans and programs and determine appropriate services especially for the women micro-entrepreneurs and workers in order to promote their sustainable development.



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- c. Partnership and Linkage with Business Development Service Organizations, Government Agencies and Other Institutions.** – The provincial government shall develop linkages and build partnerships with various institutions that provide technical assistance, research and development, capacity development, market links, micro-finance and other support services to capacitate women micro-entrepreneurs and expand market accessibility of their products.
- e. Accessing Loans and Financial Assistance.** – The provincial government shall assist women entrepreneurs in accessing loans and financial assistance from government and private financial institutions. Efforts to continuously build the capacity of women entrepreneurs to access loans and to negotiate shall also be undertaken. Likewise, efforts for socialized lending or for special credit programs for women micro-entrepreneurs shall also be studied and pursued.
- f. Protection against Iniquitous and Excessive Interest Rates.** – It shall be the policy of the Province of Pangasinan to eliminate oppressive lending or credit schemes and imposition of iniquitous and excessive interest rates.
- g. Financial Assistance to Group Enterprises.** – The provincial government shall assist group enterprises gain access to capital and other forms of financial assistance from government or private financial institutions. Part of this assistance shall be in the form of capacity building seminars focused on making these business ventures succeed and become sustainable.
- h. Facilitating Enrollment in the Philippine Health Insurance.** – In order to provide health insurance coverage and ensure affordable, acceptable, available and accessible health care services for all employees and workers of micro-enterprises in the province, the provincial government shall help in facilitating the enrollment of their workers and employees to the National Health Insurance Program of the Philippine Health Insurance Corporation.

**SECTION 85. Gender-Responsive and Comprehensive Livelihood Program** - The provincial government shall allocate funds for socio-economic programs for poor women and men that include gender-responsive livelihood skills and values training seminars. The Comprehensive Livelihood shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

**SECTION 86. Low Cost Basic Services** - The Provincial government shall facilitate access of women and men to quality low-cost housing, safe water, electricity, communication, transportation and basic commodities.



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**SECTION 87. Monitoring of Standardization of Prices of Basic Commodities** - The provincial government shall ensure fair marketing practices and standard pricing of basic commodities through regular price monitoring in local markets.

**SECTION 88. Economic Empowerment for Poor Women** - Feminization of poverty which is regarded as a condition when the gap between the rich and the poor widens and grassroots-women bear the brunt as in economic living to instability and unequal distribution of wealth. Such gap reinforces non-response to both practical strategic interests of women. The provincial government shall ensure poor women of strategic and transformative mechanism whereby they could uplift their economic and social relations.

### ARTICLE XV

#### Women and Children Support System

**SECTION 89. Implementation of UN CRC** - The provincial government shall implement systems and programs that are anchored on the United Nations Convention on the Rights of the Child (UN CRC) which stipulates the promotion and protection of children's rights to survival, development, and protection in national and local laws which now include the New Family Code and the Child Youth Welfare Code. It shall fully implement the Provincial Children's Code of Pangasinan.

**SECTION 90. Gender-Responsive and Child-Friendly Child Minding Center in Every Barangay** - The provincial government shall ensure that child-friendly and gender-responsive child daycare/minding centers are set up in every Barangay to provide parents support facilities for the care of their children when they go to work or school. The centers shall ensure that the basic early child education curriculum in the centers promote gender-fair socialization; encourage both fathers and mothers to participate in the development, care and nurturing of their children; and boys and girls in the center are able to learn to respect the rights of all children to the full enjoyment of their childhood and their rights.

**SECTION 91. Shared Parenting and Responsibilities** - The provincial government shall advocate that all fathers and mothers have both the moral obligation and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological conditions.



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### ARTICLE XVI Justice, Peace and Order

**SECTION 92. Continuous Review of the Gender-Responsiveness of Local Laws and Policies** – The provincial government shall undertake a continuous review of local laws and policies in order to revise, amend or repeal provisions that are gender-biased.

**SECTION 93. Promotion of Legal Rights Literacy** – Information on GAD-related and relevant national and local laws and their impact on women and men, list of agencies and offices responsible for the administration of justice, and guidelines on how to use the justice system shall be made accessible to all.

**SECTION 94. GAD Orientations and Trainings for Law Enforcers** – The provincial government shall strengthen its linkages with the PNP in order to ensure that gender and development orientations and trainings for law enforcers assigned to the province are regularly conducted.

**SECTION 95. Humane and Just Treatment of Female Offenders** – The provincial government shall coordinate with the PNP in order to establish mechanisms to promote the humane, just and gender-sensitive treatment of female offenders.

**SECTION 96. Persons in Detention** – The provincial government shall endeavor to extend any form of assistance to the Bureau of Jail Management and Penology (BJMP) and Pangasinan Provincial Police Station in order to ensure the protection of the right to humane and just treatment of persons detained at their facilities. There shall be a separate structure and space for detention and rehabilitation for women and men detainees.

**SECTION 97. Women and Children's Protection Desks (WCPDs)** – The provincial government, in coordination with the PNP, shall ensure the creation of Women and Children's Protection Desks (WCPDs) in all police precincts in the province. Women police officers who are adequately trained for the purpose shall be assigned to WCPDs to ensure that cases involving women and children are handled in accordance with existing laws, rules and regulations.

**SECTION 98. Support to PNP Personnel** – The provincial government shall endeavor to extend support to PNP personnel assigned in the province which may include, among others, the provision of free legal assistance to those indiscriminately charged, criminally or administratively, in the performance of their official duties related to, or in connection with, the promotion and protection of the rights of women.



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**SECTION 99. Raids in Entertainment Establishments** – Excessive and unreasonable use of force by law enforcement agencies' brutality shall not be allowed anywhere, at any time, and in any kind of activity such as during the conduct of raids in entertainment establishments and similar places that have women entertainers. Raids shall be conducted in accordance with the law and in a manner which shall not degrade or humiliate others. Violators of this provision shall be subject to appropriate administrative, civil or penal sanctions.

**ARTICLE XVII**  
**Disaster Risk Reduction and Management**

**SECTION 100. Gender and Development in Disaster Risk Reduction and Management** – The provincial government shall ensure that gender and development be considered in all its disaster risk reduction and management policies, plans and programs. In support of this, the provincial government shall undertake the following:

**a. Pre-Disaster and Resilience Building Measures:**

**a.1.** Ensure that women and other vulnerable groups are duly informed on disaster risk reduction and management and climate change adaptation;

**a.2.** Ensure the representation, active participation and involvement of women and other vulnerable groups in disaster risk reduction and management decision- making processes including Hazard, Vulnerability and Capacity Assessment (HVCA) mapping activities and in the formulation of disaster contingency plans in their respective communities;

**a.3.** Design an emergency response plan for vulnerable groups including women, children and elderly for search and rescue operations, evacuation management plan and rehabilitation plan;

**a.3.1** Provide a separate area for lactating mothers in the evacuation centers in the province/city/municipal/barangay;

**a.4.** Ensure that women have sustained livelihood and income; *and*

**a.5.** Build the capacities of women in disaster risk reduction and management including but not limited to:

**a.5.1.** Design and manage Community-Based Early Warning Systems (CB- WWS);





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**a.5.2.** Manage trauma and provide psycho-social intervention to survivors of disasters;

**a.5.3.** Provide first aid medical response to cases resulting from disasters; *and*

**a.5.4.** Maintain update sex-disaggregated data and statistics especially on vulnerable groups (women, children, elderly, persons with disabilities and others).

**b. Measures during Disasters**

**b.1.** Whenever practicable, prioritize women and other vulnerable groups in search and rescue operations;

**b.2.** Ensure that information on the number of affected families and persons, including injured, dead and missing, damage to properties and infrastructures and such other related statistics during disasters are periodically updated in order to determine appropriate and timely interventions;

**b.3.** Ensure that minimum standards in disaster response as set forth in existing laws and international instruments, including people's need for water, sanitation, nutrition, food, shelter, clothing, health care and other basic needs, are met; *and*

**b.4.** Ensure the implementation of the provisions of Section 10 of Republic Act No. 9710, otherwise known as "Magna Carta of Women".

**c. Measures in Recovery and Rehabilitation**

**c.1.** Ensure women's active participation and involvement in recovery and rehabilitation efforts by:

**c.1.1.** Involving women in the conduct of Damage Assessment & Needs Assessment (DANA) to ensure that their needs and those of other vulnerable groups are addressed; *and*

**c.1.2.** Involving women as participants of Food-for-Work and Cash-for-Work schemes in restoration works funded by the government in order to provide them with job and income opportunities to help their families cope and recover with the effects of disasters.



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**c.2.** Ensure that psycho-social and stress debriefing interventions especially for women, children and the elderly, are carried out by women providers to better situate the intervention; *and*

**c.3.** Ensure that women and children have access to clean and potable water, sanitation, nutrition, food, shelter and health care to ensure their full recovery.

**SECTION 101. Funding** – The provincial government shall ensure that a portion of the Provincial Disaster Risk Reduction and Management Fund (LDRRMF) is allocated for meeting the special needs of vulnerable groups especially women, children, elderly and persons with disabilities in the emergency and relief phase up to the recovery and rehabilitation stage.

### ARTICLE XVIII Special Events and Activities

**SECTION 102. Declaration of the Eighth of March as International Women’s Day and the Month of March as Women’s Month** – The provincial government shall lead the observance and celebration of International Women’s Day and Women’s Month in the province pursuant to Presidential Proclamation Nos. 227 and 224, respectively. Programs and activities in connection with these events shall be pursued by the provincial government.

**SECTION 103. Observance of Significant International Celebrations on Women and Gender and Development** – The provincial government of Pangasinan shall, in communion with the international community, join in the observance of significant international celebrations on women empowerment and gender and development. These shall include among others, the International Day of Action for Women’s Health every May 28, the International Week of Action Against Gender-based Violence from November 25 to December 12 and the 18-day Campaign to Eliminate Violence against Women and Children.

### CHAPTER III PROHIBITED ACTS AND PENALTIES

#### ARTICLE XIX On Violence Against Women

**SECTION 104. Failure to Act on Reports of Violence Against Women and Children** – All concerned offices of the provincial government, including the barangays, shall act immediately or within twenty-four (24) hours upon receipt of complaints and reports, of violence against women and children. They shall provide the appropriate intervention to the complainants within the prescribed period as provided for under the following pertinent laws:



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- a. Republic Act No. 9262, “Anti-Violence Against Women and Their Children Act of 2004” and its Implementing Rules and Regulations;
- b. Republic Act No. 9208, “Anti-Trafficking in Persons Act of 2003”;
- c. Republic Act No. 8353, “Anti-Rape Law of 1997”;
- d. Republic Act No. 7610, “Special Protection of Children Against Abuse, Exploitation and Discrimination Act”;
- e. Republic Act No. 8972, “Solo Parents’ Welfare Act of 2000”; *and*
- f. Republic Act No. 7877, “Anti-Sexual Harassment Act of 1995”

Failure to act within the prescribed period constitutes neglect in the performance of duty and shall be penalized in accordance with the provisions of the laws cited above, the Civil Service Code, the Local Government Code of 1991 and other pertinent laws.

**SECTION 105. Establishment of a Violence Against Women (VAW) Desk** – Pursuant to Magna Carta for Women and Joint Memorandum Circular No. 2010-2 of the Department of the Interior and Local Government, Department of Social Welfare and Development, Department of Education and Philippine Commission on Women, dated December 9, 2010. The provincial/city/municipal government shall ensure that a Violence Against Women Desk is established in every barangay to ensure that violence against women cases are fully addressed in a gender-responsive manner, pursuant to the following guidelines:

- a. **VAW Desk** – a facility that would address VAW cases in a gender-responsive manner, managed by a person designated by the punong barangay. It shall be situated within the premises of the barangay hall. In the absence of a barangay hall, the VAW Desk shall be established within the premises where the punong barangay holds office;
- b. **Setting up the VAW Desk** –the punong barangay shall designate an area within the barangay hall or the VAW Desk. The punong barangay shall provide for the necessary furniture and fixtures such as, but not limited to, table, chairs, separate filing cabinet and logbook for record-keeping of cases. Likewise, the punong barangay shall ensure the confidentiality of the case and privacy and safety of the victim-survivor;



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- c. **Designation of VAW Desk Person** – The punong barangay shall designate a VAW Desk Person who is trained in gender-sensitive handling of cases; preferably a woman barangay kagawad or woman barangay tanod. In cases where there are no trained personnel, ensure that the person assigned shall undergo basic gender sensitivity training and orientation on anti-VAW laws;

In this regard, the province/city/municipality shall provide capability training programs, seminars and activities to the barangay personnel in order to equip them with the necessary information, values, attitude skills and other tools in handling violence against women cases.

- d. **Functions of the VAW Desk** – The VAW Desk shall perform the following tasks:
- d.1 respond to gender-based violence cases brought to the barangay;
  - d.2 record the number of gender-based violence handled and submit a quarterly report on all cases of VAW to the DILG City/Municipal Field Office and the City/Municipal Social Welfare Development Office;
  - d.3 keep VAW case records confidential and secured, and ensure that only authorized personnel can access it;
  - d.4 assist victims of VAW in securing Barangay Protection Order (BPO) and access necessary services;
  - d.5 develop the barangay's gender-responsive plan in addressing gender-based violence including support services, capacity building and referral system;
  - d.6 coordinate with and refer cases to government agencies, non-government organizations, institutions and other service providers as necessary;
  - d.7 address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;



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d.8 lead advocacies on the elimination of VAW in the community; *and*

d.9 perform other related functions as may be assigned.

- e. **Role of Provincial Governors, and City and Municipal Mayors-** All provincial governors, and city and municipal mayors shall ensure the establishment of a VAW Desk in every barangay within their jurisdiction, and provide technical and financial assistance for its operations pursuant to Section 12.D, paragraph 2 of the Implementing Rules and Regulations of the Magna Carta for Women.

**SECTION 106. Soliciting Sexual Services** – It is unlawful for a person to solicit a woman or child's services for sexual purposes as gift, representation, public relations or as an act of goodwill regardless of whether the solicitor profits or not from such acts without prejudice to the provisions of the Revised Penal Code and other related laws.

**SECTION 107. Prostitution** – Prostitution shall not be allowed in the Province of Pangasinan and shall be penalized in accordance with the provisions of the Revised Penal Code. The provincial government shall exercise its powers to curb prostitution within its jurisdiction.

**SECTION 108. Prohibited Fund-Raising Initiatives** – Fund raising activities wherein men and women are used as prizes for an award, prize or recognition in order to raise funds shall be strictly prohibited. Organizers and all other persons responsible for the conduct of said fund raising activity shall pay a fine of Five Thousand Pesos (P5,000.00) and/or suffer imprisonment of not more than one (1) year or both, at the discretion of the court.

**SECTION 109. Contests that Degrade Persons** – Beauty contests and other similar activities, whose purpose or manner of presentation tend to abuse, humiliate and treat or degrade women, men and children shall be strictly prohibited in schools, barangays and communities within the jurisdiction of the municipalities and cities of the Province. In lieu of these, activities that project the strength of women and children shall instead be encouraged and pursued.

**ARTICLE XX**

**On Appropriate Health Services**

**SECTION 110. Appropriate Initial Medical Treatment and Support in Emergency or Serious Cases** – In emergency or serious cases, it shall be unlawful for any proprietor, president, director, manager or any other officer, and/or medical practitioner or employee of a hospital or medical clinic to request, solicit, demand or accept any deposit or any other form of



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advance payment as a prerequisite for confinement or medical treatment of a patient in such hospital or medical clinic or to refuse to administer medical treatment and support as dictated by good practice of medicine to prevent death or permanent disability: Provided, That by reason of inadequacy of the medical capabilities of the hospital or medical clinic, the attending physician may transfer the patient to a facility where the appropriate care can be given, after the patient or his next of kin consents to said transfer and after the receiving hospital or medical clinic agrees to the transfer: Provided, however, That when the patient is unconscious, incapable of giving consent and/or unaccompanied, the physician can transfer the patient even without his consent: Provided, further, That such transfer shall be done only after necessary emergency treatment and support have been administered to stabilize the patient and after it has been established that such transfer entails less risks than the patient's continued confinement: Provided, furthermore, That no hospital or clinic, after being informed of the medical indications for such transfer, shall refuse to receive the patient nor demand from the patient or his next of kin any deposit or advance payment: Provided, finally, That strict compliance with the foregoing procedure on transfer shall not be construed as a refusal made punishable by Section 4 of Batas Pambansa 702, as amended by Republic Act No. 8344.

**ARTICLE XXI**

**On Labor and Employment Laws**

**SECTION 111. Equal Access to Job Training and Promotion** – No one shall be deprived of job training, employment, promotion, appointment, salary adjustment on account of gender, sex orientation, age, ethnicity, civil status and religion.

**SECTION 112. Minimum Wage and Other Lawful Benefits** – Every employer shall comply with the minimum wage as prescribed by the Regional Wage Board or as maybe provided by existing laws and shall grant all benefits due to all employees without discrimination against women.

**ARTICLE XXII**

**On Justice, Peace and Order**

**SECTION 113. Non-Disclosure of Victims' and Offenders' Identities** – The confidentiality of the real names, alias, personal circumstances, or any other information pending to establish the identities of offenders and victims shall be preserved and shall not be disclosed to the public in any manner to protect their privacy and integrity unless authorized by law or for a lawful purpose. Any person who violates this provision shall be penalized with imprisonment of not more than one (1) year or payment of Five Thousand Pesos (P5,000.00) or both at the discretion of the courts. The offenders may also be prosecuted for revelation of secrets under Articles 229 and 230, as the case maybe, of the Revised Penal Code or under other related laws.



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### ARTICLE XXIII On Other Disadvantaged Sectors

**SECTION 114. Equal Treatment** – Any ridicule, embarrassment or insult to persons belonging to cultural communities, those with disabilities, the elderly or persons with sexual preferences shall be penalized in accordance with the penal provisions of this Code.

**SECTION 115. Prohibition against Degrading Programs and Publications** – It shall be unlawful for any person or entity to present reports, programs or advertisements in print, broadcast, electronics, film or other forms of media including stage shows or presentations that degrade or treat a person as an inferior being or which, in any manner subject a person to humiliation and ridicule. Publishers, reporters, station or program managers, advertisers, producers, directors, actors or other persons responsible for such, shall be penalized with a fine of Five Thousand Pesos (P5,000.00) or imprisonment of not more than one (1) year or both at the discretion of the court. The court may impose suspension or revocation of the business permit or franchise to operate as an additional penalty.

### CHAPTER IV IMPLEMENTATION, MONITORING AND EVALUATION

#### ARTICLE XXIV Implementation, Monitoring and Evaluation

**SECTION 116. Gender Mainstreaming** – The provincial government shall adopt gender mainstreaming as a strategy towards the promotion of gender-responsive governance. It shall integrate gender equality goals into the development plans, programs, projects and services of the local government and in the whole planning and budgeting cycle. The development plans referred to are the Comprehensive Land Use Plan (CLUP); Comprehensive Development Plan (CDP); Local Development Plan Investment Program (LDIP); Executive-Legislative Agenda (ELA); Annual Investment Plan (AIP) and other plans to be formulated by the LGU out of the main instruments which are the CLUP and the CDP.

**SECTION 117. Participatory Governance and Implementation** – The Provincial, City, Municipal and Barangay Councils shall lead in the implementation of this Code. In this regard, the participation of civil society organizations shall be ensured and partnership or linkages with other concerned agencies, institutions and individuals shall be established by the Provincial, City, Municipal and Barangay Councils.



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**SECTION 118. The Pangasinan Gender and Development Focal Point System (PGFPS) Establishment and Functions** – (a) Pursuant to Republic Act No. 9710 and its implementing rules and regulations, a Pangasinan Gender and Development Focal Point System (PGFPS) is hereby established to ensure and sustain the province's critical consciousness and support on women and gender issues. It shall take a lead role in direction-setting, advocacy, planning, monitoring and evaluation, and technical advisory on mainstreaming GAD perspectives in the province's programs, projects, activities, and processes.

(b) Specifically, the PGFPS shall have the following functions:

1. Lead the assessment of the gender-responsiveness of policies, strategies, programs, activities, and projects of the province based on the priority needs and concerns of its constituency, and the formulation of recommendations and ensure their implementation;
2. Assist in the formulation of new policies, such as the Provincial GAD Code, in advancing women's empowerment and gender equality;
3. Lead in setting up appropriate systems and mechanisms to ensure the generation, processing, review, and updating of sex-disaggregated data or GAD database to serve as basis in performance-based and gender-responsive planning and budgeting;
4. Coordinate efforts of different divisions/offices/units of the provincial government and advocate for the integration of GAD perspectives in all its systems and processes related reports;
5. Spearhead the preparation of the provincial government's annual GAD Plan and Budget (GPB) in response to women and gender issues;
6. Lead in monitoring the effective implementation of the GPB, GAD Code and such other GAD-related policies, plans, programs, and activities;
7. Lead the preparation of the annual provincial GAD Accomplishment Report (GAD AR) and such other related reports;
8. Promote the participation of women and gender advocates, other civil society groups and private organizations in the various stages of development planning cycle, giving attention to the marginalized sectors;





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9. Ensure that all personnel of the provincial government including the planning and finance officers are capacitated on GAD. Along this line, the PGFPS will recommend and plan an appropriate capacity development program on GAD for its employees as part of, and implemented under, its regular human resource development program; *and*
10. Promote and actively pursue the participation of women and gender advocates, other civil society groups and private organizations in the various stages of development planning cycle, giving attention to the marginalized sectors.

To carry out its functions, the PGFPS shall have an Executive Committee, a Technical Working Group and a Secretariat. The members and personnel of these bodies who are not employees of the provincial government or any government organization, agency, institution or instrumentality, shall be appointed by the Provincial Governor.

**SECTION 119. The Executive Committee; Composition; Roles and Responsibilities**

- (a) The Executive Committee (ExeCom) shall be composed of the following:
  1. Provincial Governor - Chairperson
  2. Chairperson, Committee on Appropriations, Economic Affairs and Ways and Means, Sangguniang Panlalawigan - Member
  3. Chairperson, Committee on Children, Women, Senior Citizens, Family Affairs and Social Welfare, Sangguniang Panlalawigan - Member
  4. President, Liga ng mga Barangay - Member
  5. Chief, Provincial Social Welfare and Development Office - Member
  6. Chief, Provincial Health Office - Member
  7. Chief, Provincial Employment Service Office-Member
  8. Chief, Provincial Agriculture Office - Member
  9. Chief, Provincial Planning and Development Office - Member
  10. Superintendent, Pangasinan Schools Division Office I - Member



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11. Superintendent, Pangasinan Schools Division Office II - Member
12. Provincial Director, DILG - Member
13. Provincial Director - PNP - Member
14. Representative of NGOs or POs - Member

The Provincial Governor shall appoint from the members, an alternate Chairperson and Vice Chairperson.

(b) The ExeCom shall have the following roles and responsibilities:

1. Provide policy advice to the Provincial Governor to support and strengthen the PGFPS and the province's gender mainstreaming efforts;
2. Direct the identification of GAD strategies, programs, projects, activities (PPAs) and targets based on the results of gender analysis and gender assessment, taking into account the identified priorities of the province and the gender issues and concerns faced by its constituents and employees;
3. Ensure the timely submission of the annual GAD Plan and Budget (GPB), GAD Accomplishment Report (GAD AR) and other related reports to the DILG which shall be consolidated for submission to the PCW and appropriate oversight agencies;
4. Ensure the effective and efficient implementation of GAD PPA's and the judicious utilization of the GAD budget;
5. Build and strengthen the partnership of the provincial government with concerned stakeholders such as women's groups or civil society organizations (CSOs), national government agencies, GAD experts and advocates, among others, in pursuit of gender mainstreaming;
6. Recommend awards and/or incentives to recognize outstanding GAD PPAs or individuals who have made exemplary contributions to GAD; *and*
7. Perform such other functions necessary to the achievement of the objectives of this Code.



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**SECTION 120. The Technical Working Group (TWG); Composition; Roles and Responsibilities** – (a) The Technical Working Group (TWG) shall have twenty-three (23) members composed of the GAD focal persons of the following concerned provincial government offices/departments or government organizations, agencies, institutions or instrumentalities who shall be designated by their respective heads, and representatives of civil society organizations (CSOs):

1. Public Information Office;
2. DILG;
3. Liga ng mga Barangay;
4. Provincial Social Welfare and Development Office;
5. Provincial Health Office;
6. Provincial Employment Services Office;
7. Provincial Agriculture Office
8. Provincial Planning and Development Office;
9. Provincial Budget Office;
10. Provincial Tourism and Cultural Affairs Office;
11. Provincial Disaster Risk Reduction and Management Office;
13. DepEd Schools Divisions Office Pangasinan I and II;
14. Provincial Director - PNP;
15. Four (4) Representatives from NGOs or POs; and
16. Four (4) Representatives from the Private Sector

The representative of NGOs or POs who is a member of the ExeCom shall be one (1) among the four (4) representatives from NGOs or POs thereby making said person also an automatic member of the TWG. The members of the TWG shall elect from among themselves a Chairperson and a Vice Chairperson.



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- (b) The TWG shall have the following roles and responsibilities:
1. Facilitate the gender mainstreaming efforts of the provincial government through the GAD planning and budgeting process;
  2. Formulate the Pangasinan GAD Plan and Budget (GPB) in response to the gender gaps and issues faced by their constituents including their employees;
  3. Assist in the capacity and competency development of, and provide technical assistance to, the offices or units of the provincial government. In this regard, the TWG shall work with the Human Resource Management and Development Office of the province on the development and implementation of a capacity development program on GAD for its employees;
  4. Coordinate with the various units/offices of the provincial government and ensure their meaningful participation in strategic and annual planning exercises on GAD including the preparation, consolidation and submission of GPBs;
  5. Lead the conduct of advocacy activities and the development of information, education and communication (IEC) materials to ensure critical support of local elected officials, department heads and staff, and relevant stakeholders to the GFPS and to gender mainstreaming;
  6. Provide regular updates and recommendations to the Provincial Governor or PGFPS ExeCom regarding PGFPS' activities and the progress of the provincial government in gender mainstreaming based on the feedback and reports of concerned provincial government departments, offices/units, stakeholders and constituents; *and*
  7. Perform such other functions necessary to the achievement of the objectives of this Code.

**SECTION 121.** The Provincial Government shall ensure that the Provincial GAD Focal Point System (PGFPS) and the Technical Working Group (TWG) perform their roles and responsibilities.

**SECTION 122. Meetings** – The ExeCom and the TWG shall hold regular meetings at least once a month or as often as may be necessary. These bodies may create committees or sub-committees composed of its members who may likewise meet at least once a month or as often as necessary in order to hasten the facilitation of their mandated tasks.



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**SECTION 123. Quorum** – A majority of all the members of the ExeCom and the TWG or their respective committees or sub-committees shall constitute a quorum. Said bodies shall not transact business without a quorum. An approval of the majority of the members present during meetings of these bodies shall be required for the adoption of policies, proposals, programs, projects, activities or decisions.

**SECTION 124. Pangasinan Crisis Intervention Center (PCIC)** – A Pangasinan Crisis Intervention Center (PCIC) shall be established in the province to serve as an operations center for gender and development concerns. It shall provide, among others, comprehensive support to women, including women in especially difficult circumstances (WEDC). As defined under Section 30 of Republic Act No. 9710, WEDC shall refer to victims and survivors of sexual and physical abuse, illegal recruitment, prostitution, trafficking, armed conflict, women in detention, victims and survivors of rape and incest, and such other related circumstances which have incapacitated them functionally. The PCIC shall provide the necessary services and interventions to women such as, but not limited to, the following:

- a. Temporary and protective custody;
- b. Medical and dental services;
- c. Psychological evaluation;
- d. Counseling;
- e. Psychiatric evaluation;
- f. Legal services;
- g. Productivity skills capability building;
- h. Livelihood assistance;
- i. Job placement;
- j. Financial assistance; *and*
- k. Transportation assistance.



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### CHAPTER V Budgetary Appropriations

**SECTION 125. GAD Fund** – The Sangguniang Panlalawigan shall appropriate at least five percent (5%) of the total annual budget of the province for GAD programs, projects, activities and services.

**SECTION 126. Appropriations** – The funds necessary for the implementation of this Code shall be sourced from the GAD Fund in the annual appropriations of the province.

### CHAPTER VI FINAL PROVISIONS

**SECTION 127. Review of Provisions.** This Code shall be subject of regular review by the Sangguniang Panlalawigan in coordination with the various agencies and organizations who are partners in the promotion and protection of the rights of women, once every five (5) years, or more often as may be necessary.

**SECTION 128. Separability Clauses.** – If, for any reason or reasons, any part or provision of this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 129. Applicability Clause.** – All other matters relating to the impositions or regulations provided in this Code shall be governed by the pertinent provisions of existing laws and other ordinances. This Code shall apply to all the people within the territorial jurisdiction of the Province of Pangasinan as well, and all persons, who may be subject to the provision of this Code.

**SECTION 130. Repealing Clause.** – All ordinances, resolutions executive orders and issuances which are inconsistent with any of the provisions of this Code are hereby repealed and/or modified accordingly.



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**SECTION 131. Effectivity Clause.** – This Code shall take effect after its publication for three (3) consecutive issues in a local newspaper of general circulation.

CERTIFIED BY:

  
**VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

  
**JOSE FERDINAND Z. CALIMLIM, JR.**  
Vice Governor  
*(Presiding Officer)*

APPROVED:

  
**AMADO I. ESPINO, III**  
*Governor*