



4th SP
EXCERPT FROM THE MINUTES OF THE 99TH REGULAR SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP) HELD AT SP SESSION HALL, LEGISLATIVE BUILDING, CITY OF NAGA, CEBU ON JUNE 16, 2021.

107th Session

PRESENT:

- | | |
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| HON. VIRGILIO M. CHIONG | - Vice Mayor /Presiding Officer |
| HON. JUSTINO L. DAKAY | - Majority Floor Leader |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. AFSHIN MARK K. SEÑOR | - Sangguniang Panlungsod Member |
| HON. CHARMAINE R. NAVARRO | - Sangguniang Panlungsod Member |
| HON. PORFERIO V. RESABA, JR. | - Sangguniang Panlungsod Member |
| HON. DOMINADOR A. LIBOR | - Sangguniang Panlungsod Member |
| HON. LUZMINDA R. LAPITAN | - Sangguniang Panlungsod Member |
| HON. LETECIA F. ABANGAN | - Sangguniang Panlungsod Member |
| HON. RAY A. MANABAT | - Sangguniang Panlungsod Member |
| HON. CLINT ISIDRO A. CHIONG | - Sangguniang Panlungsod Member |
| HON. JHUN MARK T. SISMAR | - SK Federation President |

ON LEAVE:

- | | |
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| HON. AURELIO B. ALINSONORIN | - Sangguniang Panlungsod Member |
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ORDINANCE NO. 2021-63

AN ORDINANCE LOCALIZING THE APPLICABILITY OF REPUBLIC ACT 11313, OTHERWISE KNOWN AS "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES AND PRESCRIBING PENALTIES THEREFOR"

Hon. Luzminda R. Lapitan - Sponsor

Chairperson, Committee on Women, Gender Sensitivity and Family Relations

*WAP-MAF Federation
11-15-21*

*Received by:
10/29/2021*

EXPLANATORY NOTE

On April 17, 2019, Republic Act (R.A.) 11313 otherwise known as the Safe Spaces Act or previously the "Bawal Bastos Act" was signed into law to protect an individual sense of personal space and public safety, and address existing gaps and issues on equality, security and safety of both women and men in private and public places.

This Act focuses on gender-based sexual harassment in public areas such as streets, privately-owned places open to the public, and public utility vehicles, among others, even as it extends the protection to cyberspace and provides for prohibited acts and their corresponding penalties.

Section (8) of R.A. 11313 mandates all local government units to enact an ordinance localizing its applicability; disseminate or post in conspicuous places a copy of this Act and the corresponding ordinance; provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars; discourage and impose fines on acts of gender-based sexual harassment as defined in this Act; create an anti-sexual harassment hotline; and coordinate with the Department of the Interior and Local Government (DILG) for its enforcement.

This August Body, through the initiative of the Committee on Women, Gender Sensitivity and Family Relations, deems it necessary to pass such a local measure to satisfactorily comply with this mandate.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

SECTION 1. SHORT TITLE - This Ordinance shall be known as "**LOCALIZING THE APPLICABILITY OF SAFE SPACES ACT IN THE CITY OF NAGA, CEBU.**"

1 | ORDINANCE NO. 2021-63 LOCALIZING RA 11313 SAFE PLACES ACT

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spaces sexual harassment are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

SECTION 5. Gender-Based Sexual Harassment in Restaurants and Cafes, Bars and Clubs, Resorts and Water Parks, Hotels and Casinos, Cinemas, Malls, Buildings and Other Privately-Owned Places Open to the Public. - Restaurants, bars, cinemas, malls, buildings and other privately-owned places open to the public shall adopt a zero-tolerance policy against gender-based streets and public spaces sexual harassment. These establishments are obliged to provide assistance to victims of gender-based sexual harassment by coordinating with local police authorities immediately after gender-based sexual harassment is reported, making CCTV footage available when ordered by the court, and providing a safe gender-sensitive environment to encourage victims to report gender-based sexual harassment at the first instance.

All restaurants, bars, cinemas and other places of recreation shall install in their business establishments clearly-visible warning signs against gender-based public spaces sexual harassment, including the anti-sexual harassment hotline number in bold letters, and shall designate at least one (1) anti-sexual harassment officer to receive gender-based sexual harassment complaints. Security guards in these places may be deputized to apprehend perpetrators caught in flagrante delicto and are required to immediately coordinate with local authorities.

SECTION 6. Gender-Based Sexual Harassment in Public Utility Vehicles. - In addition to the penalties in this Act, the Land Transportation Office (LTO) may cancel the license of perpetrators found to have committed acts constituting sexual harassment in public utility vehicles, and the Land Transportation Franchising and Regulatory Board (LTFRB) may suspend or revoke the franchise of transportation operators who commit gender-based streets and public spaces sexual harassment acts. Gender-based sexual harassment in public utility vehicles (PUVs) where the perpetrator is the driver of the vehicle shall also constitute a breach of contract of carriage, for the purpose of creating a presumption of negligence on the part of the owner or operator of the vehicle in the selection and supervision of employees and rendering the owner or operator solidarity liable for the offenses of the employee.

SECTION 7. Gender-Based Sexual Harassment in Streets and Public Spaces Committed by Minors. - In case the offense is committed by a minor, the Department of Social Welfare and Development (DSWD) shall take necessary disciplinary measures as provided for under Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of 2006".

SECTION 8. Duties of Local Government Units (LGUs). - LGUs shall bear primary responsibility in enforcing the provisions under Article I of this Act. LGUs shall have the following duties:

- (a) Pass an ordinance which shall localize the applicability of this Act within sixty (60) days of its effectivity;
- (b) Disseminate or post in conspicuous places a copy of this Act and the corresponding ordinance;
- (c) Provide measures to prevent gender-based sexual harassment in educational institutions, such as information campaigns and anti-sexual harassment seminars;
- (c) Discourage and impose fines on acts of gender-based sexual harassment as defined in this Act;
- (e) Create an anti-sexual harassment hotline; and
- (f) Coordinate with the Department of the Interior and Local Government (DILG) on the implementation of this Act.

SECTION 9. Role of the DILG. - The DILG shall ensure the full implementation of this Act by:

- (a) Inspecting LGUs if they have disseminated or posted in conspicuous places a copy of this Act and the corresponding ordinance;
- (b) Conducting and disseminating surveys and studies on best practices of LGUs in implementing this Act; and
- (c) Providing capacity-building and training activities to build the capability of local government officials to implement this Act in coordination with the Philippine Commission on Women (PCW), the Local Government Academy (LGA) and the Development Academy of the Philippines (DAP).

SECTION 10. Specific Acts and Penalties for Gender-Based Sexual Harassment in Streets and Public Spaces. - The following acts are unlawful and shall be penalized as follows:

a) For acts such as cursing, wolf-whistling, catcalling, leering and intrusive gazing, taunting, cursing, unwanted invitations, misogynistic, transphobic, homophobic, and sexist slurs, persistent unwanted comments on one's appearance, relentless requests for one's personal details such as name, contact and social media details or destination, the use of words, gestures or actions that ridicule on the basis of sex, gender or sexual orientation, identity and/or expression including sexist, homophobic, and transphobic statements and slurs, the persistent telling of sexual jokes, use of sexual names, comments and demands, and any statement that has made an invasion on a person's personal space or threatens the person's sense of personal safety.

- 1) The first offense shall be punished by a fine of One Thousand Pesos (P1,000.00) and community service of three (3) days inclusive of attendance to a Gender Sensitivity Seminar to be conducted by the PNP in coordination with the LGU and the PCW. The PNP shall issue the certificate of completion of community service;
- 2) The second offense shall be punished by arresto menor (6 to 10 days) or a fine of Two Thousand Pesos (P2,000.00).
- 3) The third offense shall be punished by arresto menor (11 to 30 days) and a fine of Five Thousand Pesos (P5,000.00).

b) For acts such as making offensive body gestures at someone, and exposing private parts for the sexual gratification of the perpetrator with the effect of demeaning, harassing, threatening or intimidating the offended party including flashing of private parts, public masturbation, groping, and similar lewd sexual actions.

- 1) The first offense shall be punished by a fine of Three Thousand Pesos (P3,000.00) and community service of fifteen (15) days inclusive of attendance to a Gender Sensitivity Seminar, to be conducted by the PNP in coordination with the LGU and the PCW. The PNP shall issue the certificate of completion of community service;
- 2) The second offense shall be punished by arresto menor (11 to 30 days) or a fine of Four Thousand Pesos (P4,000.00);
- 3) The third offense shall be punished by arresto mayor (1 month and 1 day to six months) and a fine of Five Thousand Pesos (P5,000.00).

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

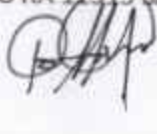
- 1) The first offense shall be punished by arresto menor (11 to 30 days) or a fine of Three Thousand Pesos (P3,000.00), provided that it includes attendance in a Gender Sensitivity Seminar, to be conducted by the PNP in coordination with the LGU and the PCW. The PNP shall issue the certificate of completion of community service;
- 2) The second offense shall be punished by arresto mayor (1 month and 1 day to six months) or a fine of Four Thousand Pesos (P4,000.00);
- 3) The third offense shall be punished by arresto mayor in its maximum period or a fine of Five Thousand Pesos (P5,000.00).

**ARTICLE II
GENDER-BASED ONLINE SEXUAL HARASSMENT**

SECTION 11. Gender-Based Online Sexual Harassment - Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy

















through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, or filing false abuse reports to online platforms to silence victims.

SECTION 12. Implementing Bodies for Gender-Based Online Sexual Harassment. - for gender-based online sexual harassment, the PNP Anti-Cybercrime Group (PNPACG) as the National Operational Support Unit of the PNP, is primarily responsible for the implementation of pertinent Philippine laws on cybercrime, shall receive complaints of gender-based online sexual harassment and develop an online mechanism for reporting real-time gender-based online sexual harassment acts and apprehend perpetrators. The Cybercrime Investigation and Coordinating Center (CICC) of the DICT shall also coordinate with the PNPACG to prepare appropriate and effective measures to monitor and penalize gender-based online sexual harassment.

SECTION 13. Penalties for Gender-Based Online Sexual Harassment. - The penalty will be imprisonment of six (6) months and a fine of not less than Five Thousand Pesos (P5,000.00), or both, at the discretion of the court shall be imposed upon any person found guilty of any gender-based online sexual harassment.

If the perpetrator is a juridical person, its license or franchise shall be automatically deemed revoked, and the persons liable shall be the officers thereof, including the editor or reporter in the case of print media, and the station manager, editor and broadcaster in the case of broadcast media. An alien who commits gender-based online sexual harassment shall be subject to deportation proceedings after serving sentence and payment of fines.

Exemption to acts constitutive and penalized as gender-based online sexual harassment are authorized written orders of the court for any peace officer to use online records or any copy thereof as evidence in any civil, criminal investigation or trial of the crime: Provided, That such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses may produce, and upon showing that there are reasonable grounds to believe that gender-based online sexual harassment has been committed or is about to be committed, and that the evidence to be obtained is essential to the conviction of any person for, or to the solution or prevention of such crime.

Any record, photo or video, or copy thereof of any person that is in violation of the preceding sections shall not be admissible in evidence in any judicial, legislative or administrative hearing or investigation.

ARTICLE III QUALIFIED GENDER-BASED STREETS, PUBLIC SPACES AND ONLINE SEXUAL HARASSMENT

SECTION 14. Qualified Gender-Based Streets, Public Spaces and Online Sexual Harassment. - The maximum penalty will be applied in the following cases:

- (a) If the act takes place in a common carrier or PUV, including, but not limited to, jeepneys, taxis, tricycles, or app-based transport network vehicle services, where the perpetrator is the driver of the vehicle and the offended party is a passenger;
- (b) If the offended party is a minor, a senior citizen, or a person with disability (PWD), or a breastfeeding mother nursing her child;
- (c) If the offended party is diagnosed with a mental problem tending to impair consent;
- (d) If the perpetrator is a member of the uniformed services, such as the PNP and the Armed Forces of the Philippines (AFP), and the act was perpetrated while the perpetrator was in uniform; and
- (e) If the act takes place in the premises of a government agency offering frontline services to the public and the perpetrator is a government employee.

ARTICLE IV GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE

SECTION 15. Gender-Based Sexual Harassment in the Workplace. - The crime of gender-based sexual harassment in the workplace includes the following:

- (a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;
- (b) A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome, unreasonable, and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems;
- (c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee; and
- (d) Information and communication system refers to a system for generating, sending, receiving, storing or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.

SECTION 16. Duties of Employers. - Employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

- (a) Disseminate or post in a conspicuous place a copy of this Act to all persons in the workplace;
- (b) Provide measures to prevent gender-based sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars;
- (c) Create an independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall:
 - (1) Adequately represent the management, the employees from the supervisory rank, the rank-and-file employees, and the union, if any;
 - (2) Designate a woman as its head and not less than half of its members should be women;
 - (3) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
 - (4) Investigate and decide on the complaints within ten days or less upon receipt thereof;
 - (5) Observe due process;
 - (6) Protect the complainant from retaliation; and
 - (7) Guarantee confidentiality to the greatest extent possible
- (d) Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall:
 - (1) Expressly reiterate the prohibition on gender-based sexual harassment;
 - (2) Describe the procedures of the internal mechanism created under Section 17(c) of this Act; and
 - (3) Set administrative penalties.

SECTION 17. Duties of Employees and Co-Workers. - Employees and co-workers shall have the duty to:

- (a) Refrain from committing acts of gender-based sexual harassment;
- (b) Discourage the conduct of gender-based sexual harassment in the workplace;
- (c) Provide emotional or social support to fellow employees, co-workers, colleagues or peers who are victims of gender-based sexual harassment; and
- (d) Report acts of gender-based sexual harassment witnessed in the workplace.

SECTION 18. Liability of Employers. - In addition to liabilities for committing acts of gender-based sexual harassment, employers may also be held responsible for:

- (a) Non-implementation of their duties under Section 17 of this Act, as provided in the penal provisions: or
- (b) Not taking action on reported acts of gender-based sexual harassment committed in the workplace.

SECTION 19. Routine Inspection. - The Department of Labor and Employment (DOLE) for the private sector and the Civil Service Commission (CSC) for the public sector shall conduct yearly spontaneous inspections to ensure compliance of employers and employees with their obligations under this Act.

**ARTICLE V
GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING
INSTITUTIONS**

SECTION 20. Gender Based Sexual Harassment in Educational and Training Institutions. - All schools, whether public or private, shall designate an officer-in-charge to receive complaints regarding violations of this Act, and shall ensure that the victims are provided with a gender-sensitive environment that is both respectful to the victims' needs and conducive to truth-telling.

Every school must adopt and publish grievance procedures to facilitate the filing of complaints by students and faculty members. Even if an individual does not want to file a complaint or does not request that the school take any action on behalf of a student or faculty member and school authorities have knowledge or reasonably know about a possible or impending act of gender-based sexual harassment or sexual violence, the school should promptly investigate to determine the veracity of such information or knowledge and the circumstances under which the act of gender-based sexual harassment or sexual violence were committed, and take appropriate steps to resolve the situation. If a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects.

Once a perpetrator is found guilty, the educational institution may reserve the right to strip the diploma from the perpetrator or issue an expulsion order.

The Committee on Decorum and Investigation (CODI) of all educational institutions shall address gender-based sexual harassment and online sexual harassment in accordance with the rules and procedures contained in their CODI manual.

The CODI is composed of at least one (1) representative each from the management, the accredited union, if any, the second level employees, and the first level employees, duly selected by the school/unit concerned. (Section 14, Rule 3 of the 2017 Rules on Administrative Cases Service (2017 RACCS)).

SECTION 21. Duties of School Heads. - School heads shall have the following duties:

- (a) Disseminate or post a copy of this Act in a conspicuous place in the educational institution;
- (b) Provide measures to prevent gender-based sexual harassment in educational institutions, like information campaigns;
- (c) Create an independent internal mechanism or a CODI to investigate and address complaints of gender-based sexual harassment which shall:
 - (1) Adequately represent the school administration, the trainers, instructors, professors or coaches and students or trainees, students and parents, as the case may be;
 - (2) Designate a woman as its head and not less than half of its members should be women;
 - (3) Ensure equal representation of persons of diverse sexual orientation, identity and/or expression, in the CODI as far as practicable;
 - (4) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;

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- (5) Investigate and decide on complaints within ten (10) days or less upon receipt, Thereof;
 - (6) Observe due process;
 - (7) Protect the complainant from retaliation; and
 - (8) Guarantee confidentiality to the greatest extent possible.
- (d) Provide and disseminate, in consultation with all persons in the educational institution, code of conduct or school policy which shall:
- (1) Expressly reiterate the prohibition on gender-based sexual harassment;
 - (2) Prescribe the procedures of the internal mechanism created under this Act; and
 - (3) Set administrative penalties.

SECTION 22. Liability of School Heads.- In addition to liability for committing acts of gender-based sexual harassment, principals, school heads, teachers, instructors, professors, coaches, trainers, or any other person who has authority, influence or moral ascendancy over another in an educational or training institution may also be held responsible for:

- (a) Non-implementation of their duties under Section 22 of this Act, as provided in the penal provisions; or
- (b) Failure to act on reported acts of gender-based sexual harassment committed in the educational institution.

Any person who violates subsection (a) of this section, shall upon conviction, be penalized with a fine of not less than Five thousand pesos (P5,000.00).

Any person who violates subsection (b) of this section, shall upon conviction, be penalized with a fine of not less than Five thousand pesos (P5,000.00).

SECTION 23. Liability of Students. - Minor students who are found to have committed acts of gender-based sexual harassment shall only be held liable for administrative sanctions by the school as stated in their school handbook.

SECTION 24. Rules on Proper Decorum for DepEd Officials, teaching and nonteaching personnel and students. -

- a. Shall treat one another with dignity and respect. They shall avoid telling green jokes in the classroom and in other public places and refrain from using language with sexual undertones.
- b. Shall abide by the agency's dress code while in school and office premises.
- c. Shall observe prudence in all their actions. They shall avoid talking and being left alone with the opposite sex in abandoned, secluded and unlighted places and must also avoid body language and acts that would invite sexual meanings or interpretations.

SECTION 25. Routine Inspection. - The Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA) shall conduct regular spontaneous inspections to ensure compliance of school heads with their obligations under this Act.

ARTICLE VI COMMON PROVISIONS

SECTION 26. Confidentiality. - At any stage of the investigation, prosecution and trial of an offense under this Act, the rights of the victim and the accused who is a minor shall be recognized.

SECTION 27. Restraining Order. - Where appropriate, the court even before rendering a final decision, may issue an order directing the perpetrator to stay away from the residence, school, places of employment, or any specified place frequented by the offended person.

SECTION 28. Remedies and Psychological Counseling. - A victim of gender-based street, public spaces or online sexual harassment may avail of appropriate remedies as provided for under the law as well as psychological counseling services with the aid of the LGU and the DSWD, in coordination with the DOH and the PCW. Any fees charged in the course of a victim's availment of such remedies or psychological counseling services shall be borne by the perpetrator.



SECTION 29. Administrative Sanctions. - The imposition of penalties outlined under R.A. No. 11313 is without prejudice to any administrative sanctions that may be imposed if the perpetrator is a government employee.

SECTION 30. Imposition of Heavier Penalties. - Nothing in the law shall prevent the LGU from coming up with ordinances that impose heavier penalties for the acts specified herein.

SECTION 31. Exemptions. - Acts that are legitimate expressions of indigenous culture and tradition, as well as breastfeeding in public shall not be penalized. Expressions of indigenous culture and tradition include, among others, the wearing of traditional attires of tribes or clans that may show partial nudity. Provided that, such expressions of indigenous culture and tradition do not discriminate against women, girls, and persons of diverse sexual orientation, gender identity, and expression.

SECTION 32. PNP Women, and Children Protection Centers/Desks. - The women and children's desks and the Women and Children Protection Center shall act on and attend to all complaints covered under the law. They shall coordinate with anti-sexual harassment enforcement (ASHE) officers on the street, security guards in privately-owned spaces open to the public, and anti-sexual harassment officers in government and private offices or schools in the enforcement of the provisions of this Act.

SECTION 33. Educational Modules. - All schools, whether public or private, including formal and non-formal systems, shall educate students from the elementary to tertiary level about the provisions of the law and how they can report cases of gender-based streets, public spaces and online sexual harassment committed against them. School courses shall include age-appropriate, inclusive and culturally-sensitive educational modules against gender-based streets, public spaces and online sexual harassment which shall be developed by DepEd, CHED, TESDA, and PCW. Schools and agencies concerned shall ensure that all forms of gender-based sexual harassment shall be included in the development of said educational modules.

SECTION 34. Awareness Campaigns. - Role of agencies in disseminating information on the law:

- a) PCW shall take the lead in a national campaign for the awareness of the law;
- b) DILG and PCW, together with duly accredited women's groups shall coordinate to ensure participation of all LGUs in a sustained information campaign. Duly-accredited women's groups shall refer to CSOs which have been recognized as such by any government agency or LGUs, and with relevant mandate and competence;
- c) DICT shall ensure the development of an online campaign that reaches a wide audience of Filipino internet users. Information, education, and communication (IEC) materials for such awareness campaigns may include all forms of media condemning different forms of gender-based sexual harassment, informing the public of penalties for committing gender-based sexual harassment, and infographics of hotline numbers of authorities. In addition, these agencies shall ensure that all forms of gender-based sexual harassment covered by the law will be included in the communication plans and awareness campaigns.

SECTION 35. Safety Audits. - LGUs are required to conduct safety audits on their responsibilities enumerated in Section 8 of the law and Section 9 of these rules every three (3) years to assess the efficiency and effectivity of the implementation of the law within their jurisdiction. Such audits shall be multisectoral and participatory, with consultations undertaken with schools, police officers, and civil society organizations.

In conducting safety audits, provinces shall assess the implementation of cities and municipalities within their jurisdictions, and the cities and municipalities shall assess the barangays, in the exercise of their general supervision.

The DILG and concerned agencies shall assist the LGUs in developing indicators that will guide the safety audits, covering not only the extent of the people served by this law but also the effectivity of the law.

SECTION 36. Appropriations. - Such amounts as may be necessary for the implementation of R.A. No. 11313 shall be indicated under the annual General Appropriations Act (GAA). National and local government agencies shall be authorized to utilize their

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mandatory gender and development (GAD) budget, as provided under R.A. No. 9710, otherwise known as the Magna Carta of Women for this purpose. In addition, LGUs may also use their mandatory twenty percent (20%) allocation of their annual internal revenue allotments for local development projects as provided under Section 287 of R.A. No. 7160, otherwise known as the Local Government Code of 1991.

SECTION 37. Separability Clause. - If any provision or part hereof of these rules is held invalid or unconstitutional, the remaining provisions not affected thereby shall remain valid and subsisting.

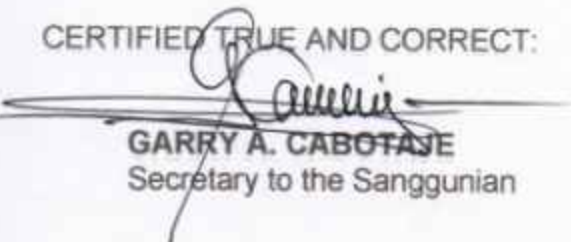
SECTION 38. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Ordinance is hereby repealed, modified or amended accordingly.

SECTION 39. Effectivity. - This ordinance will take effect immediately upon approval in accordance with law.


ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU, in its Regular Session held on the 16th day of June 2021.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
City Mayor

Date: 6/21/21