



Excerpt from the
MINUTES OF THE 19th REGULAR SESSION OF THE SANGGUNIANG
PANLUNGSOD OF BAYBAY HELD AT THE SESSION HALL ON JUNE 21, 2010

PRESENT:

HON. CRISTELO S. LORETO	Sangguniang Panlungsod Member Actg. Presiding Officer
HON. ERNESTO M. BUTAWAN	Sangguniang Panlungsod Member
HON. EDUARDO S. GUINOCOR, JR.	-do-
HON. LEONIDO A. BERAY	-do-
HON. LOLITO C. MUÑEZ	-do-
HON. ERLINDO P. LAPLANA	-do-
HON. TERESITA J. VELOSO	-do-
HON. CARLO S. ENRIQUEZ	-do-
HON. MARGARITA C. CARI	ABC, Provincial Federation Pres.

ABSENT:

HON. REX A. RETANA	City Vice Mayor
HON. CARL NICOLAS C. CARI	SK Federation President, OB- Manila

CITY NO. 005 S., S- 2010

AN ORDINANCE CREATING THE CITY GENDER AND DEVELOPMENT (GAD) COUNCIL AND THE GAD RESOURCE AND COORDINATING OFFICE UNDER THE OFFICE OF THE CITY MAYOR, DEFINING ITS POWERS, DUTIES AND FUNCTIONS AND PROVIDING AN ANNUAL BUDGET AND STAFF, AS MANDATED UNDER R.A. 7192

INTRODUCED BY: HON. SPM TERESITA J. VELOSO ; HON. SPM MARGARITA C. CARI
AND HON. SPM CARLO S. ENRIQUEZ

WHEREAS, Art II, Sec. 14 of the 1987 Philippine Constitution and RA. 7192 known as the Women in Development and National Building Act 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;

WHEREAS, Art 3 of the United Nation Convention on the Elimination of all Forms of Discrimination Against Women (UN-CEDAW) states the obligation of the state to take all appropriate measures to ensure full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on the basic of equality with men;

- more over -

LOLITO C. MUÑEZ
SP Member

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WHEREAS, pursuant to the constitutional provision, R.A 7160, otherwise known as the Local Government Code of 1991, encourages the representation and participation of women in community development and nation-building;

WHEREAS, Presidential Executive Order 273, dated September 1995, adopts the Philippine Plan for gender responsive Development which identifies various issues and concerns of women as priority planning concern of the government;

WHEREAS, Section 28 of R.A 8250, otherwise known as Gender Responsive Project of the General Appropriations Act of 1997, provides that all departments, bureaus, offices and agencies shall set aside a minimum amount of five percent (5%) of their appropriation to be used for projects designed to address gender issues in accordance with R.A 7192;

WHEREAS, item no. 9.6 of Local budget Memorandum Order No. 28 dated June 15, 1997, of the Department of Budget and Management states that a minimum amount of 5% out of the 1998 appropriation, and succeeding budgets, shall be set aside for projects designed to address gender issues in accordance with R.A. 7192;

WHEREAS, national laws and policies embodied in the Constitution, R.A. 7192, R.A. 6713, Executive Order No. 273 and the International Declarations where the Philippines is a signatory provide the basis for the national and local programs to address domestic violence and other issues confronting women;

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF BAYBAY CITY IN SESSION ASSEMBLED:

Article 1. TITLE - This ordinance shall be known as the ordinance Creating the City Gender and development council (GAD) and the GAD resource and coordinating Office under the office of the mayor, defining is Power, duties and functions and Providing an annual Budget and staff, as Mandated by RA 7192.

Article 2. DEFINITION OF TERM - Gender and Development refers to a development approach that recognizes the unequal status between men and women and how this is generated and reflected in all aspects of our socio-economic, political, cultural and personal lives;

The process of integrating gender at the level of policy making, planning and program development, implementation and management is aimed towards gender equality, gender equity, and ultimately to achieve women's empowerment.

LOLITO C. MUNIZ
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Article 3. CREATION OF GENDER AND DEVELOPMENT COUNCIL (GAD).

The Gender and Development (GAD) Council of Baybay City is hereby created at the city level.

Article 4. COMPOSITION OF THE CITY GAD COUNCIL

The City GAD Council shall be composed of the following:

- a. The City Mayor, as honorary chairman.
- b. A woman city councilor or a department head appointed by the mayor as co-chairman.
- c. Representatives of the city government line agencies with specific programs on women or GAD, who shall constitute not less than one third (1/3) of the members of the fully organized GAD Council.
- d. Representatives of women non-government organizations (NGOs) operating in the city who shall constitute not less than one third (1/3) of the members of the fully organized GAD Council.
- e. The president of the Liga ng mga Barangay Baybay City Chapter.
- f. The Chief Executive Officer of the City GAD Office, or Sentro as GAD focal Point.
The GAD Council may call upon any local official concerned or personality of local or national agencies or offices to assist in the formulation of the Gender and Development plans and programs.
- g. The Chief of the Barangay Operations Center (BOC) who will set consultations with the various Barangays for the eventual set-up of their individual Barangay GAD Council.

Article 5. REPRESENTATION OF WOMEN NON-GOVERNMENTAL ORGANIZATIONS IN CITY GAD COUNCIL – Within a period of ninety (90) days from the start of organization of the GAD Council, the women non-governmental organizations (NGOs) shall choose among themselves their representative to the council.

The City Council shall create the mechanism to accredit women NGOs. PO's based on the following criteria

1. At least two years of existence before the effectivity of this Ordinance;
2. Submission of two years accomplishment report;
3. Submission of the latest financial report;
4. Membership of at least thirty (30) active women members except for institutions;

Their existence must be certified by any of the following:

City Mayor or City Council through a city resolution. Affiliation to city, provincial, regional or national organizations CDA, DOLE, DSWD or SEC registration.

Women assemblies and registration shall be called by the GAD Council Secretariat and executed by the SENTRO/PROGAD with a Baybay City based NGO to facilitate the election of women representatives to the GAD Council.

LOLITO C. NUÑEZ
SP Member

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Article 6. POWERS AND DUTIES OF THE GAD COUNCILS. – The councils shall perform the following powers and duties and such other duties and programs as may be mandated by its council members that shall ensure the promotion of the welfare of the women sector.

- a. Formulate long-term, medium term and annual integrated gender and development plans and policies. Submit or develop a comprehensive developmental program responsive to the needs and situation of the women sector and formulate programs, projects and activities (PPAs) that will uplift their condition.
- b. Monitor and evaluate the implementation of nation or local programs projects. Conduct regular review and evaluation of existing legislation, policies and programs of the government on the extent to which women's concerns are integrated in all aspect of life on the basis of equal opportunities with men and to recommend the adoption of appropriate policies and enactment of ordinances or passage of resolution that enhances the potentials and capabilities of women. Promote and support the establishment of a consultative mechanism which shall provide for a continuing dialogue between the government and the women sector. Maintain and update a data bank through the conduct of primary and secondary data gathering activities.
- c. Work in collaboration with government agencies, non-government entities/organization, government initiated women's organizations, people's organization, institution and private individuals that women's concerns are brought into the mainstream of all development efforts and that all city development planning are gender sensitive.
- d. The City GAD Council shall review and recommend for approval all gender and Development programs, projects and activities from the Barangay to city level prior to implementation to monitor if activities to be undertaken are in accordance with guidelines-set forth.

Article 7. MEETINGS AND QUORUMS. The City GAD Council shall meet at least once every six (6) months or as often as may be necessary.

Article 8. EXECUTIVE COMMITTEE

The executive committee of the City GAD shall be composed of the City Mayor and its co-chairman, and two (2) representatives of women NGO's represented in the council, as members and the head of the GAD Resources and Coordinating Office (RCO).

The Executive Committee shall exercise the following powers and duties:

1. Ensure that the decision of the council are faithfully carried out and implemented;
2. Act on matters requiring immediate attention or action by the council;
3. Formulate policies, plans, and programs based on general principles laid down by the council;
4. Act on other matters that may be authorized by the council;
5. Implement and enforce all gender-related ordinances of the city of Baybay

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Article 9. FUNCTIONAL COMMITTEES – The City GAD Council shall create functional committees to assist the council in the performance of its functions.

Article 10. CREATION OF GAD RESOURCES AND COORDINATING OFFICE (RCO). – The GAD Resources and Coordinating Office under the Office of the City Mayor is hereby created to act as the city GAD focal point and secretariat for the City GAD Council and shall be responsible for providing technical support, documentation of proceedings, preparation of reports and such other assistance as may be required in the discharge of its functions. The GAD Council may avail of the services of NGO's or educational or research institution for other purpose that may assist the affairs of the City GAD Council.

Article 11. RELATION OF GAD COUNCIL TO THE SANGGUNIAN AND THE REGIONAL GAD FOCAL POINT AGENCY. The policies, programs and projects proposed by the City GAD Council shall be submitted to the Sangguniang panlungsod for final approval. The approved GAD plans will be submitted to GAD Resource and Coordinating Office, City Planning and Development Office, Regional/MNCR GAD focal point agency for their integration in their plans and programs.

Article 12. BUDGET. – The City Council shall provide an automatic minimum appropriation of 5% from the annual funds of the city. Except for the first year of its implementation, the 5% minimum appropriation must be taken from the annual funds and not on the supplemental budgets. The Accounting/Budget Office shall furnish the City GAD Council information on financial resources and budgetary allocation applicable to their respective jurisdiction to guide them in their planning functions. Particularly, 5% of the general appropriation for the year shall be allocated annually for the programs and project strictly of the GAD Council in accordance with the implementing guidelines as stated below.

The minimum five percent (5%) GAD Fund shall be used for the following purposes:

- a. Gender Main streaming (GM) is the process of integrating the GAD prospective in the development agenda and process. Some indicators of this process are as follows:
 - a. Situation analysis which identifies (a) differences or similarities in women's and men's conditions; (b) practical gender needs; (c) strategic gender need and potentials and constraints to women's ability to participate in and benefit from programs, Projects and Activity (PPA);
 - b. Determines gender goals and set targets for women's empowerment towards reducing gender inequality;
 - c. Strategies include ways to enhance women's participation in and benefits from PPA's and gender sensitivity training;

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- d. Activities aim to include both women and men; and where needed, new activities for women are designed;
- e. Budgets are allotted for gender-related activities, with respect to priority thrusts in relation to practical gender needs and strategic gender needs particularly on women and in consideration of the over-all city women development plan.

2. PPA for setting up/building focal points and institutional mechanisms (BIM), includes the creation or strengthening of agency/department/unit mechanisms, which facilitate or sustain the integration of GAD in agency regular function and process.

Indicators are as follows, but not limited to the following:

- a. Conduct of briefings and orientations on gender sensitivity, GAD and GAD Main streaming;
- b. Conduct of an inventory of existing and requires GAD-related skills and capacities, such as those needed to implement the agency GAD strategic plan;
- c. Setting up focal points at the central office, departments, attached units/programs/projects;
- d. Creation and/or strengthening of agency mechanisms for data collection processing and dissemination to be gender-responsive;
- e. Gathering and compilation of gender-desegregated data;
- f. Packaging and dissemination of gender-specific sectoral situationers;
- g. Setting sectoral linkages to facilitate gender responsive assessment Planning, implementation and monitoring/evaluation of agency PPAs

3. Women Specific (WS) PPA. These are activities intended to directly benefit women/girls-children, including those that improve their access to basic services, such as the following:

- a. Women/girl's health and safe motherhood programs and projects;
- b. Skills and leadership training for women;
- c. Crisis center for women;
- d. Training women in non-traditional trades;
- e. Provision of technical and financial resources for women;
- f. Legal service for women/girl-children;
- g. Counseling and therapy for women/disadvantaged children;

Article 13. RELEASE OF FUNDS – Funds shall be released on a quarterly basis to agencies in the form of cash advance and must be liquidated based on the regular accounting and auditing procedures of the government or based on the implementation of the program of Work/Design. Fund releases shall be made through the passage of a resolution approving the work programs from the City GAD Council.

ERLINDO P. LAPLANA
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Article 14. PENALTY – Any person found violating, delaying or directly or indirectly instrumental in the non-implementation of the provisions of this Ordinance shall be punished by a fine of not exceeding Five Thousand Pesos (P 5,000.00) or by imprisonment not exceeding one year or both such fine and imprisonment at the discretion of the Court.

Article 15. REPEALING CLAUSE - All ordinance, resolutions, memoranda or executive orders not consistent with this ordinance are hereby repealed and/or modified accordingly

Article 16. EFFECTIVITY CLAUSE – This ordinance shall take effect upon its approval.

ENACTED: June 21, 2010

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan of Leyte and other Offices concerned for their information and appropriate action.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session on June 21, 2010.

AMELITO V. BORNEO
Secretary to the SP

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

HON. CRISTELO S. LORETO
SP Member &
Actg Presiding Officer

APPROVED BY THE HONOR.

HON. MICHAEL L. CARI
City Mayor

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