



**MEMORANDUM ORDER**

DEC 01 2021

No. 004  
Series of 2021

**SUBJECT : A POLICY ON THE ADOPTION OF RA 9262 (ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004) IN NAMRIA**

Pursuant to Republic Act (RA) 9262, otherwise known as the "Anti-Violence Against Women and their Children Act of 2004"; described as "AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFORE, AND FOR OTHER PURPOSES", and in line with the policy of the state to address violence against women and children in keeping with the fundamental freedoms guaranteed under the Constitution and the Provisions of the Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination Against Women, Convention on the Rights of the Child and other international human rights instruments of which the Philippines is a party; the following policy guidelines on the management and response on acts of gender violence in NAMRIA shall be adopted.

**Section 1. Scope and Coverage**

This Memorandum Order shall apply to the management, response, and advocacy awareness campaigns on the elimination of gender-based violence in NAMRIA, for both employees, regardless of employment status, and the agency clientele.

The implementation of this Memorandum shall only cover acts of violence, as defined in RA 9262, that has emanated from the workplace, or any site or location where NAMRIA employees need to be by reason of their work. Other forms of violence experienced by NAMRIA employees and clients outside the workplace shall be responded to and addressed by the Barangay VAW Desk where the said act of violence was committed.

**Section 2. Definition of Terms**

- 2.1 *Catcalling* – refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs.
- 2.2 *Children* – refers to those below eighteen (18) years of age or older but are incapable of taking care of themselves.
- 2.3 *Client* – a person or organization availing of the products and services of NAMRIA.

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- 2.4 *Cyberbullying* – any bullying done through the use of technology or any electronic means.
- 2.5 *Economic abuse* – refers to acts that make or attempt to make a woman or man financially dependent which includes, but is not limited to the withdrawal of financial support or preventing the victim from engaging in any legitimate profession, occupation, business or activity; and controlling the victim's own money or properties.
- 2.6 *Employee* – refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, whether natural or juridical, and whether private or public, who exercises fundamental control over the work, regardless of the term or duration of agreement.
- 2.7 *Gender* – refers to a set of socially ascribed characteristics, norms, roles, attitudes, values, and expectations identifying the social behavior of men and women, and the relations between them.
- 2.8 *Physical violence* – refers to acts that include bodily or physical harm.
- 2.9 *Psychological violence* – refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as, but not limited to intimidation, harassment, stalking, catcalling, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity.
- 2.10 *Sexual violence* – refers to an act which is sexual in nature, committed against a woman, man or their child.
- 2.11 *Stalking* – refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's own safety or the safety of others, or to suffer emotional distress.
- 2.12 *Workplace* – refers to any site or location where workers need to be by reason of their work, and which are under the direct or indirect control of the employer.

### **Section 3. General Guidelines**

- 3.1 This Policy localizes the Anti-Violence Against Women and their Children Act of 2004 (RA 9262) in NAMRIA.
- 3.2 All Branches shall abide by the set guidelines of this policy in the management and response on acts of gender violence in NAMRIA, including provisions for leave entitlements (Section 43, RA 9262) and other human resource and psychological interventions (Section 107, 2017 RACCS) for aggrieved parties.
- 3.3 All Branches shall partake in the yearly observance of the "18-Day Campaign to End Violence Against Women" of NAMRIA, in coordination with the GFPS and the Philippine Commission on Women.





#### **Section 4. Specific Guidelines**

- 4.1 The management and response on acts of sexual violence in NAMRIA shall be handled by the CODI which has adopted the guidelines set forth in the Revised Administrative Disciplinary Rules on Sexual Harassment Cases (Amendment to the Sexual Harassment Provisions in the 2017 Revised Rules on Administrative Cases in the Civil Service).
- 4.2 All cases of physical and psychological violence, as well as economic abuses shall be reported in writing to the Administrator, through the Administrative Division, for the latter's appropriate action.
- 4.3 Any acts of violence by external parties against NAMRIA employees on field work shall be reported to the respective Barangay VAWC Desk or the nearest Police Community Precinct where said act has been committed.
- 4.4 All victims shall be entitled to take a paid leave of absence up to ten (10) days in addition to other paid leaves under the Labor Code and Civil Service Rules and Regulations.
- 4.5 A summary report on the cases (i.e., number and nature of the case committed) shall be submitted by the Administrative Division to the GFPS for inclusion in the NAMRIA GAD Accomplishment Report.
- 4.6 Compliance to this Memorandum Order shall be monitored and audited through the GFPS. Likewise, the review and evaluation of results shall be performed during the Management Review or as necessary.

#### **Section 5. Periodic Review and Amendments**

The GFPS shall conduct a periodic review of this policy, and if deemed necessary and shall recommend amendments of the same.

#### **Section 6. Legal Bases and References**

This Memorandum Order observes the following related laws, guidelines, and issuances:

- 6.1 Republic Act (RA) 9170, otherwise known as the Magna Carta of Women;
- 6.2 RA 9262, otherwise known as the Anti-Violence Against and their Children Act of 2004;
- 6.3 RA 7877, otherwise known as the Anti-Sexual Harassment Act of 1995;
- 6.4 RA 11313, otherwise known as the Safe Spaces Act;
- 6.5 RA 10398, otherwise known as an Act Declaring November Twenty-Five of Every Year as "National Consciousness Day for the Elimination of Violence Against Women and their Children";



- 6.6 Proclamation No. 1172, Declaring November 25 to December 12 of Every Year as the "18 Day Campaign to End Violence Against Women";
- 6.7 RA 9995, otherwise known as the Anti-Photo and Video Voyeurism Act of 2009;
- 6.8 Civil Service Resolution No. 1701077, otherwise known as the 2017 Rules on Administrative Cases in the Civil Service; and
- 6.9 Civil Service Resolution No. 2100064, otherwise known as the Revised Administrative Disciplinary Rules on Sexual Harassment Cases.

### **Section 7. Separability Clause**

If any portion or provision of this Memorandum Order shall be held unconstitutional or invalid, the other provisions not otherwise affected thereby shall remain in full force and effect.

### **Section 8. Repealing Clause**

All orders, directives, or other issuances, rules and regulations, contrary to or inconsistent with this Memorandum Order are hereby deemed repealed, amended, or modified accordingly.

### **Section 9. Effectivity**

This Memorandum Order shall take effect immediately.

  
**Usec. PETER N. TIANGCO, PhD, CESO I**  
**Administrator**

