



Republic of the Philippines  
**QUEZON CITY COUNCIL**

Quezon City  
19<sup>th</sup> City Council

PO19CC-594

88<sup>th</sup> Regular Session

ORDINANCE NO. SP- **2501**, S-2016

AN ORDINANCE AMENDING ORDINANCE NO. SP-1401, S-2004, ENTITLED "AN ORDINANCE PROVIDING FOR A CITY GENDER AND DEVELOPMENT CODE, AND FOR OTHER PURPOSES," TO HARMONIZE WITH THE PROVISIONS OF REPUBLIC ACT NO. 9710, OTHERWISE KNOWN AS "THE MAGNA CARTA OF WOMEN," AND TO ADOPT THE UN WOMEN'S SAFE CITIES AND SAFE PUBLIC SPACES INITIATIVE.

Introduced by Councilor *LENA MARIE P. JUICO*.

Co-Introduced by Councilors *Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ranulfo Z. Ludovica, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pumaren, Eufemio C. Lagumbay, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Vincent DG. Belmonte, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Marivic Co-Pilar, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.*

WHEREAS, Section 11, Article II, of the 1987 Philippine Constitution states that the State values the dignity of every human person, and guarantees full respect for human rights;

WHEREAS, Section 1 (a), Article XIII, of the 1987 Philippine Constitution states that the enactment of measures that protect and enhance the right of the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities shall be given highest priority;

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WHEREAS, Section 1, Article III of the 1987 Philippine Constitution, guarantees that no person shall be deprived of life, liberty and property without due process of law, nor shall any person be denied the equal protection of the law;

WHEREAS, the Philippines being a state-party to the United Nations (UN) Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) also known as the International Bill of Rights of Women, which it signed on July 15, 1980, and ratified on August 15, 1981, shall pursue and implement programs, projects and activities that will contribute to the achievement of women's empowerment and gender equality;

WHEREAS, on February 3, 2004, the Quezon City Council approved the Ordinance No. SP-1401, S-2004, entitled "AN ORDINANCE PROVIDING FOR A CITY GENDER AND DEVELOPMENT CODE AND FOR OTHER PURPOSES";

WHEREAS, on August 14, 2009, the Philippine Commission on Women (PCW), the Department of the Interior and Local Government (DILG), Department of Budget and Management (DBM), and the National Economic Development Authority (NEDA) have issued Joint Memorandum Circular 2013-01, to prescribe guidelines in mainstreaming and aligning Gender and Development in the planning, programming, budgeting, legislation and monitoring and evaluation of local government units;

WHEREAS, the Localization of the Magna Carta of Women prescribes the creation and strengthening of an LGU Gender and Development Focal Point System (GFPS), an institutional mechanism for GAD implementation;

WHEREAS, the Magna Carta of Women also recognizes the woman's right to protection from all forms of violence. Agencies of government shall give priority to the defense and protection of women against gender-based offenses and help women attain justice and healing. It also ensures mandatory training on human rights and gender sensitivity to all government personnel involved in the protection and defense of women against gender-based violence;

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WHEREAS, Section 2 of Republic Act No. 7877 also known as the "Anti-Sexual Harassment Act of 1995" states that "the State shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, and uphold the dignity of workers, employees, applicants for employment, student or those undergoing training, instruction or education. Toward this end all forms of sexual harassment in the employment, education, or training environment are hereby declared unlawful";

WHEREAS, the United Nations Entity for Gender Equality and the Empowerment of Women also known as UN Women has selected Quezon City as one of the pilot cities all over the world of its Safe Cities and Safe Public Spaces Initiative;

WHEREAS, the UN Women Safe Cities Free of Violence Against Women and Girls Global Initiative seeks to increase safety and improve the quality of life of women, youth and children by developing and testing a local safe city approach in Quezon City through strategies such as capacity-building of local authorities, conducting public awareness activities to mobilize the community, and facilitating policy linkages and coordination across local and national levels;

WHEREAS, in Quezon City, sexual harassment (SH) and sexual violence (SV) in public spaces are a daily occurrence for women, rooted in longstanding gender biases against women and exacerbated by a culture of silence on these various forms of harassment and violence that women experience in public places;

WHEREAS, there is now a need to amend the Quezon City GAD Code in order to harmonize the same with the provisions of aforementioned laws, and to adopt the said UN Women's initiative. ✕



NOW, THEREFORE,

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

BOOK I – GENERAL PROVISIONS

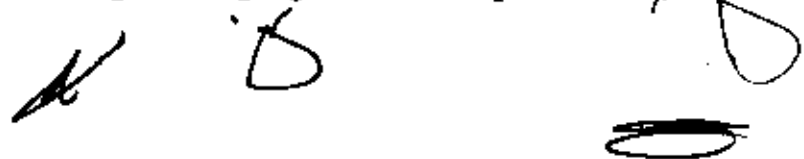
CHAPTER I – BASIC PRINCIPLES

ARTICLE I

TITLE AND GENERAL POLICY

SECTION 1. Title. – This Ordinance shall be known as the “GENDER AND DEVELOPMENT CODE OF QUEZON CITY.”

SECTION 2. Declaration of Policy and Principles of the Quezon City Government. - It shall be the policy of the City government to ensure both women/girls and men/boys benefit equally and participate directly in the development programs and projects of its various departments and ensure the full participation and involvement of both men and women in the development process, pursuant to Republic Act No. 7192, WOMEN IN DEVELOPMENT AND NATION BUILDING ACT, and Republic Act No. 9710: MAGNA CARTA OF WOMEN. It shall also uphold the rights of women/girls and the belief in their worth and dignity as human beings, in accordance with the fundamental freedoms guaranteed under the Constitution and the Provisions of the Universal Declaration of Human Rights, Convention on the Elimination of All Forms of Discrimination Against Women and other international human rights instruments, of which the Philippines is a party. Women shall be recognized as full and equal partners of men in development and nation-building, and men shall share equally with all forms of productive and reproductive activities. The City government shall actively contribute to the establishment of a national and international economic order based on sustained equitable growth, and balanced ecology. Any development effort it undertakes should realize the rights of women, enhance women's full potentials, uplift their status and lead to the improvement of the quality of lives, their families and communities. Toward this end, the City government shall pursue and implement vigorously gender responsive

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*development policies, design and integrate specific gender support systems, take into consideration women's and girl's right 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, nongovernmental organizations (NGOs) and people's organizations (POs), and the private/business sector in all phases of the development program cycle.*

**TO ATTAIN THE FOREGOING POLICY:**

1. *All City 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 development assistance, to ensure the full participation and involvement of women in the development process, pursuant to Republic Act No. 7192, otherwise known as the Women in Development and Nation Building Act.*
2. *All City government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines while not being remiss 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.*
3. *All City departments, offices, and instrumentalities, upon effectivity of this Code, shall review and revise all their regulations, circulars, issuances, and procedures to remove gender bias therein, if any.* ✓



4. All City government departments, offices and instrumentalities shall reaffirm the right of women in all sectors to participate in policy formulation, planning, organization, implementation, management, monitoring and evaluation of all programs, projects and services. It shall support policies, researches, technology and training programs and other support services such as financing, production and marketing to encourage active participation of women in local and national development, pursuant to Republic Act No. 9710 or the Magna Carta of Women.

## ARTICLE II

### Related Principles

*SECTION 3. Rights of Women Defined – Women’s rights are the rights of women that are defined and declared by the United Nations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which are hereby adopted as follows:*

- a. *Women have the right to the prevention of and protection from all forms of violence and coercion against their person, their freedom, their sexuality, and their individuality.*
- b. *Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations.*
- c. *Women have the right to the means for assuring their economic welfare and security.*
- d. *Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance to the Constitution and their beliefs and preferences. ✕*

*A*

*B*

*C*

*D*

- e. *Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.*
  
- f. *Women have the right to an adequate, relevant, and gender-fair education throughout their lives, from childhood to adulthood.*
  
- g. *Women have the right to adequate nutrition and proper health care.*
  
- h. *Women have the right to humane living condition.*
  
- i. *Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as a whole and valuable human beings, to build relationships based on respect, trust and mutuality.*
  
- j. *Women have the right to equality before the law in principle, as well as in practice.*

**SECTION 4. Definition – for the purpose of this Code, the following terms shall mean:**

*Gender – refers to socially constructed difference between men and women for all sexual orientation and gender identities, created artificially, partly through socialization, and partly through positive and negative discrimination in the various institutions and structures of society;*

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*Development – refers to the improvement of the quality of life of all regardless of age, sex, gender, tribe, race, creed, and religion. It is characterized by an enrichment of Filipino indigenous resources, sustainable utilization of the natural resources of the country and freedom from dependency. It is therefore, sustainable, equitable, and gender-responsive;*

*Gender and Development (GAD) - refers to the development perspective and process that is participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, and supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights;*

*Discrimination Against Women – refers to any [gender-based] distinction, exclusion or restriction made on the basis of sex has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights, irrespective of their marital status;*

*Commodification of Women – refers to a practice which puts women in subordinate situation which results in the treatment of women as both consumers and objects. As consumers, women are enticed to buy beauty products to enhance their physical attractiveness. As objects of consumption,*









women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest usually in exchange of money or goods so that women have no control or power to reject such utilization or manipulation;

*Women Empowerment* - refers to the provision, availability, and accessibility of opportunities, services, and observance of human rights through life-cycle and rights-based approach which enable women to actively participate and contribute to the political, economic, social, and cultural development of the nation as well as those which shall provide them equal access to ownership, management, and control of production, and of material and informational resources and benefits in the family, community, and society;

*Marginalization* - refers to a condition where a whole category of people is excluded from useful and meaningful participation in political, economic, social, and cultural life;

*Marginalized* - refers to the basic, disadvantaged, or vulnerable persons or groups who are mostly living in poverty and have little or no access to land and other resources, basic social and economic services such as health care, education, water and sanitation, employment and livelihood opportunities, housing, social security, physical infrastructure, and the justice system;

These include but are not limited to, women in the following sectors and groups:

✓    
  


- a. *Urban Poor* - refers to those residing in urban or blighted areas, with or without the benefit health, education, housing, and other essentials in life;
- b. *Workers In The Formal Economy* - refers to those who are employed by any person acting directly or indirectly in the interest of an employer in relation to an employee and shall include the government and all its branches, subdivisions, and instrumentalities, all Government-owned and Controlled Corporations (GOCCs) and institutions, as well as non-profit private institutions or organizations;
- c. *Workers In The Informal Economy* - refers to self-employed, occasionally or personally hired, subcontracted, paid and unpaid family workers in household incorporated and unincorporated enterprises, including home workers, micro-entrepreneurs and producers, and operators of sari-sari stores and all other categories who suffer from violation of workers' rights;
- d. *Moro* - refers to people who are of the Islamic faith; ✓

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- e. *Children* - refers to those who are below eighteen (18) years of age or over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition;
  
- f. *Senior Citizens* - refers to those sixty (60) years of age and above.
  
- g. *Persons With Disabilities (PWDs)* - refers to those who are suffering from restriction or different abilities, as a result of a mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being as defined in Republic Act No. 7277 as amended by Republic Act No. 9442, otherwise known as the "Magna Carta for Disabled Persons";
  
- h. *Solo-Parents* - refers to those who fall under the category of a solo parent defined under Republic Act No. 8972, otherwise known as the "Solo Parents' Welfare Act of 2000";
  
- i. *Lesbian, Gay, Bisexual, Transgender (LGBT)* - refers to a diverse and complex range of identities based on sexual orientation, gender identity and expression (hereinafter "SOGIE"). The term "LGBT" refers to gender and sexually non-conforming persons, including, but not limited to lesbian, gay, bisexual, transgender and queer persons. (adopted from the Quezon City Gender-Fair Ordinance);

*Substantive Equality - refers to the full and equal enjoyment of rights and freedoms contemplated under RA 9710. It encompasses de jure and de facto equality and also equality in outcomes;*

*Gender Equality - refers to the principle asserting the equality of men and women and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development, and with the State recognizing that all human beings are free and equal in dignity and rights;*

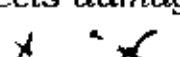

*Gender Equity - refers to the policies, instruments, programs, services, and actions that address the disadvantaged position of women in society by providing preferential treatment and affirmative action. Such temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discriminatory but shall in no way entail as a consequence the maintenance of unequal or separate standards. These measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved;*


*Gender Mainstreaming - refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all social, political, civil, and economic spheres so that women and men benefit equally, and to ensure that inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels;*

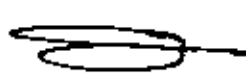
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*Violence Against Women - refers to any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life. It shall be understood to encompass, but not limited to, the following: (1) Physical, sexual, psychological, and economic violence occurring in the family, including battering, sexual abuse of female children in the household, dowry- related violence, marital rape, and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation; (2) Physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions and all other public spaces, trafficking in women, and prostitution; and (3) Physical, sexual, and psychological violence perpetrated or condoned by the State, wherever it occurs. It also includes acts of violence against women as defined in Republic Acts No. 9208 and 9262. Under these Rules and Regulations, this term is used interchangeably with gender-based violence;*

*Sexual Harassment Against Women in Public Space - refers to unwanted, unwelcome, uninvited comments, gestures, and actions forced on a woman in public places without their consent and is directed at them because of their sex, gender, gender expression, or sexual orientation that affect victims not just physically but moreover psychologically causing anxiety, fear, depression, post-traumatic stress disorder, or other effects damaging the health and well-being of a person.*

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*Women in the Military* - refers to women employed in the military, police, and other similar services, both in the major and technical services, who are performing combat and/or non-combat functions;

*Social Protection* - refers to policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status and rights of all women, especially the marginalized by promoting and protecting livelihood and employment, protecting against hazards and sudden loss of income, and improving people's capacity to manage risk. Its components are labor market programs, social insurance, social welfare, and social safety nets;

## CHAPTER II – DEVELOPMENT CONCERNS

### ARTICLE I

#### *Violence Against Women*

*SECTION 1. Violence Against Women Defined* – 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.

*SECTION 2. Violence Against Women shall include but is not 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.* ✕



- b. *Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment, and intimidation at work, in educational institutions, public spaces 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 use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examinations without expressed approval of the concerned person.*
- e. *To buy and sell a woman or any of her body parts for profit.*
- f. *Sexual harassment and assault of women in detention.*

**SECTION 3. Sexual Abuse Defined.** – Sexual abuse shall include but is not 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:*
  - 1) *Through force, threat or intimidation;*
  - 2) *By means of abuse of authority or relationship;*

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- 3) When the offended party is deprived of reason or is otherwise unconscious;
  - 4) When the offended party is below twelve years old, even though none of the above circumstances is present.
- b. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a woman under any of the situations stated in paragraph 1.
  - c. When a person subjects 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.
  - d. Sexual abuse in intimate relationships consisting of any form of forced sexual act by a 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.
  - e. 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 4th degree.

**SECTION 4. Partner/ Wife Abuse and Battering Defined** -  
Battering is any single or sporadic acts of violence which shall include the repeated and habitual cyclic pattern as means of intimidation and imposition of the batterer's will and control over the survivor's life. It constitutes the following kinds of behavior but is not limited to:

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- a. *Physical abuse and battering – this includes any form of inflicting wounds, pain, etc. on any part of the woman’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 of suicide, violence against the women of her family, punching, breaking or defacing or otherwise destroying the house or any part thereof; or of personal belongings of a woman, threatening to take the children away, threatening deportation of wives with foreign citizenship, 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 between and among members of the same household; and include 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 to finance the husband’s vices, etc.*

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*SECTION 5. Trafficking in Women Defined – refers to the recruitment, transportation, transfer or harboring, or receipt of women with or without her consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the women or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs. Trafficking in Women shall include the following but is not limited to any person or association, cult, religion, or organization or similar entities to commit the following acts:*

- a. Establish or carry on a business for the purpose of matching women for marriage to foreigner either on a mail-order basis or through personal introduction or cyberspace;*
- b. Advertise, publish, print, or distribute, or cause the advertisement, publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above-mentioned prohibited acts for profit or advantage;*
- c. Solicit, enlist, or attach/induce any woman to join any club, association or organization whose objective is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyberspace or any form which facilitates the act of solicitation;*
- d. Use the postal service, cyberspace or satellite TV to promote the above-mentioned prohibited acts; x*

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- e. To buy or sell a woman, or any of her body parts for profit; or to use her body by any pretext; to be used for experiments, research or the like without her consent;
- f. Act as a procurer of a prostituted woman;
- g. Threaten or use violence and force a woman to become a mail- order bride;
- h. Lease or sublease, use or allow to be used any house, building or establishment for the purpose of trafficking in persons; and
- i. Organize, produce or distribute pornographic materials that promote trafficking in persons.

*SECTION 6. Mail-order Bride Defined – It is a practice where a woman establishes 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 under the guise of marriage.*

*SECTION 7. Sexual Harassment Defined – It is a form of misconduct involving an act or a series of unwelcome sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature, made directly or indirectly.*

*SECTION 8. Other Forms of Sexual Harassment – Other than the definition provided by Republic Act No. 7877, the following constitute sexual harassment some of which are covered by the Revised Penal Code under Acts of Lasciviousness and Unjust Vexation, which can happen in public spaces including, but not limited to, streets, parks, malls, parking lots, churches, school grounds, cinemas, markets, cemeteries and in various public transportation vehicles and terminals, to wit:*

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- 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;*
- c. *Interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant of any lawful activity applied for;*
- d. *Making offensive hand or body gestures at someone;*
- e. *Stalking or Repeatedly asking for the phone number of a woman or 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 promotion, 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;*
- j. *Any other unnecessary acts during physical examinations;* ↗

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- k. *Requiring women to wear suggestive or provocative attire during interviews such as job hiring, promotion, admission;*
- l. *Any expression of gender bias against a person with the intention to embarrass, humiliate, or stigmatize the said person;*
- m. *Flashing or exposing genitalia in public, including public masturbation, with the intention to sexually harass, intimidate, or threaten a woman; and*
- n. *Any other analogous act – Any act of sexual harassment against a woman which demeans her dignity, damages, diminishes, or destroys or diminishes her esteem, health and/ or well-being.*

*SECTION 9. Pedophilia Defined – It is a form of sexual perversion where children are preferred victims for intercourse. It shall include the following acts 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 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;*
- d. *When the offender shall have in possession of pornographic photographs/ videos of the same.*

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*SECTION 10. 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 of packaging. These include but are not 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 on movies/TV shows, trailers, posters, billboards and other materials and literature that treat women/men and girls/boys as sex objects and commodities;*
- c. Pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and/or*
- d. Live shows whether women or girl-children are influenced or forced to dance or do naked shows in public or private places for various purposes.*

**ARTICLE II**

*Support Mechanisms to Empower Women and Promote and Respect Women’s Rights*

*SECTION 11. Comprehensive Support to Women-survivors of Violence – The City government shall provide comprehensive support to women-survivors of violence which consists of, but not limited to the following:*

- a. Immediately conduct an investigation within 24 hours;*
- b. Provide for counseling and medical services for the offended party;*

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- c. *Gather evidence for the arrest and prosecution of the offenders;*
- d. *Make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within thirty-six (36) hours from time of filing, regardless of his/her evaluation of the case;*
- e. *The investigation officer or the examining physician, if possible, of the same sex as the offended party, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical or physical examination is being conducted;*
- f. *Women victim-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically rebuilding and empowering themselves;*
- g. *All investigations/hearing involving rape cases and other forms of violence against women conducted in the police stations, prosecution's office and the trial courts shall recognize the survivor's social support group as expressly allowed or requested by the offended party;*
- h. *A temporary shelter with appropriate support services for women in crisis shall be appropriately constructed under the management and supervision of the City Social Services and Development Department; and*
- i. *Free legal services to women and victim-survivors.*

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*SECTION 15. Regular Medical Routine Check-up - Women in the entertainment industry shall be required to undergo medical routine check-up and be prescribed medicines if needed.*

**ARTICLE III**

*Political and Public Sphere Participation in Women*

*SECTION 16. Women's Participation and Representation in the Barangay and City Development Council - Both the City and Barangay Council shall encourage that at least one-third (1/3) of the membership in their respective Development Council is composed of women in recognition of their considerable leadership and involvement in various development efforts and initiatives. These women shall come from accredited organizations with considerable accomplishments and programs geared towards people-centered genuine development. Both the City and Barangay Development Councils shall undergo capacity building for gender responsive development planning to ensure that all plans, programs and projects are gender responsive.*

*SECTION 17. Promoting Gender Balance at all levels of QC Local Government Positions - The City government shall promote gender balance or equal proportion of qualified women and men for opportunity to assure key positions at all levels of local government. This should form part of the City 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) and the Barangay Development Council (BDC).*

*SECTION 18. Barangay Gender and Development Committee - All barangays shall establish their respective Barangay Gender and Development Committee that shall ensure that gender issues and concerns are incorporated and addressed at the barangay level and reflected in their barangay development plans. All accredited women's organizations with mass membership at the community level*

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shall be represented in the committee as a cluster. Details of the Committee operations shall be provided in the Implementing Rules and Regulations of this Code. This Committee shall appropriate at least five percent (5%) of the GAD Budget as institutionalized and mandated by law.

**SECTION 19. Marking Significant Days for Women's Action – March 8 as International Women's Day shall be declared as a special day for all women in Quezon City through an Executive Order. There shall be coordinated City and barangay level activities for women to be highlighted with the State of the Women Address by the City Mayor reporting all accomplishments and initiatives to promote the status of women in Quezon City. A committee for this activity should be convened and spearheaded by the City GAD Council. A half-day leave with pay may be availed of by any woman employee on March 8. In recognition of women's contributions to society, commercial establishments shall be encouraged to give a twenty percent (20%) discount for women on March 8. Implementation guidelines shall be provided in this Code's Implementing Rules and Regulations.**

**SECTION 20. Day of Action for Breast Cancer Awareness – The City 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 City and barangay level activities shall be set and spearheaded by the City Health Department to promote consciousness on breast cancer.**

**SECTION 21. Girl Child Week – The City 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 Division of City Schools and the Social Services and Development Department.** ✕

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*SECTION 22. International Day of Action for Women's Health – The City 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 City-and barangay-level activities shall be set and spearheaded by the GAD Council and the City Health Department to promote women's health and well-being.*

*SECTION 23. International Week of Action Against Gender-based Violence – The City government shall organize various events and activities to educate residents about violence against women and children every November 25 – December 10 as the period marked as the International Week of Action Against Gender-based Violence and culminates on International Human Rights Day. The activities shall be spearheaded jointly by the Social Services and Development Department, the Department of Health, Barangay Operations Center, and the City GAD Council.*

*SECTION 24. Quezon City Gender and Development Summit – The City government shall set a day every week of October to hold a Gender and Development Summit as part of the City Foundation Day Celebration. A committee shall be convened to manage and coordinate the activities and affairs of the summit focusing on (a) current situation of women in Quezon City; 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 and barangay councils.*

*SECTION 25. Peace Based on Social Justice and Human Rights – The City 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, people's and non-government organizations. \**

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ARTICLE IV

*Labor and Employment*

*SECTION 26. 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 Republic Act No. 8282: The Social Security Law, Section 14-A: Maternity Leave Benefit, shall be extended to women employees in private offices and commercial/industrial establishments located in the city, 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 breastfeeding for the newborn baby by the concerned employee.*

*SECTION 27. Special Leave Benefits for Women*

*A. Any female employee in the public and private sector regardless of age and civil status shall be entitled to a special leave of two (2) months with full pay based on her gross monthly compensation subject to existing laws, rules and regulations due to surgery caused by gynecological disorders under such terms and conditions, as follows:*

*1. She has rendered at least six (6) months continuous aggregate employment service for the last twelve (12) months prior to surgery;*

*2. In the event that an extended leave is necessary, the female employee may use her earned leave credits; and*



3. This special leave shall be non-cumulative and non-convertible to cash.

B. The Civil Service Commission (CSC), in the case of the public sector including LGUs and other State agencies, and the Department of Labor and Employment (DOLE), in the case of the private sector, shall issue further guidelines and appropriate memorandum circulars within sixty (60) days from the adoption of these Rules and Regulations to operationalize said policy, and monitor its implementation and act on any violations thereof.

*SECTION 28. 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 law under R.A. No. 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the City, who have rendered at least one (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees' union and management. Provided, further, that any additional leave period shall be used for caring of the new-born child by the concerned employee.*

*SECTION 29. 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 City, 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.* *λ*

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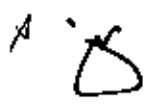
*SECTION 30. Orientation on Sexual Harassment - All government agencies and private offices, commercial/ industrial establishments located in the City shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the Public Employment Services Office (PESO). The City government shall set-up/ create its own Committee on the Decorum and Investigation (CODI) including the promulgation of the Implementing Rules and Regulations or policy on sexual harassment that will provide/prescribe procedure for the investigation of sexual harassment cases and administrative sanctions covering all City officers and employees in accordance with the provision of R.A. No. 7877 and the Civil Service Rules and Regulations on Sexual Harassment. The City government shall campaign to set up/ create the same CODI in all private offices and commercial/industrial establishments.*

*SECTION 31. Setting up Grievance Machinery - A grievance committee shall be set up in all government and private office, commercial/industrial establishments located in the City, 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 32. Equal Access to Job Training and Promotion - No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status.*

*SECTION 33. Facilities and Support Systems for Women - The City government shall ensure occupational safety and health of women employees in both government and private offices and commercial/industrial establishments. In appropriate cases, it shall require employers to:*

- a. *Provide an ergonomic system of seats or equipment in the performance of their duties without detriment to efficiency;*



- b. *Provide a breast-feeding corner for women in the workplace.*

*SECTION 34. Household-based Workers or Women in the Informal Sector – The City government shall ensure that social protection shall be accorded to women working in the informal economy. These are women vendors, sewers, laundry workers, and related occupation. Organized home-based workers may avail of social security and employees' compensation benefits and PhilHealth benefits upon proper documentation and registration with the Social Security System and PhilHealth, respectively. The City government through the Industrial Relations Office, Community Relations Office, Social Services and Development Department, and the Sikap Buhay Program shall conduct an inventory of all women involved in the informal sector for consultation and provision of appropriate support services for the sector.*

*SECTION 35. Barangay-based Househelp Support – All barangays in Quezon City shall conduct compulsory education for both house helpers and house helper employers on gender-sensitivity. An administrative sanction shall be imposed on any Barangay Council which fails to comply with this provision.*

*SECTION 36. Women in the Entertainment Industry – Women engaged in legitimate occupations in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionists, shall be recognized as wage earners and they shall receive a minimum wage and 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 establishment concerned. It must be emphasized that employing minors in the entertainment industry is prohibited in accordance with Republic Act No. 7658. A*

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*SECTION 37. 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 38. Tax Incentives for Business Entities – The City government shall provide tax incentives to business entities as follows:*

- a. Any amount used for the establishment, maintenance and operation of child minding support service centers shall be tax-deductible;*
- b. Annual tax credit per child regularly served for at least one year in the Center; and*
- c. Annual tax credit per woman who was given extended leave credit with maternity leave benefits for breastfeeding.*

*SECTION 39. Monitoring System for Labor Standards – A mechanism shall be installed by the City GAD Council to monitor all offices, agencies, and establishments or companies violating Labor Code provisions and provisions of this Ordinance; prepare regular reports to concerned departments and recommend appropriate actions.*

#### ARTICLE V

#### Health Rights

*SECTION 40. Right to Health – Article 12 of the UN International Convention on Economic, Social and Cultural Rights provides that women's right to health, which includes women's reproductive rights, is a basic fundamental human right. In recognition of the fact that women's reproductive roles and social expectations have made health policies, programs*

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and services to focus more on pregnancy and birth-related cases rather than on more holistic approach, the City government shall respect and promote a rights-based approach to women and men's health by considering their respective specific realities and health needs at every stage in their lives. It shall also promote the shared responsibilities of couples for childbirth and childcare.

*SECTION 41. Reproductive Health Defined – As defined in the International Conference on Population and Development and World Health Organization and affirmed in the International Women's Conference in Beijing, reproductive health is a state of complete physical, mental, and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system and to its functions and processes, i.e., people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide it, when and how to do so.*

*The City Health Department shall adopt the reproductive health care approach at all levels of health care delivery. Such approach integrated many issues not previously considered as central, such as population, sexuality, reproductive tract infection, gender power relations and domestic violence, and thus, shall not be limited to family planning and child bearing or safe motherhood.*

*SECTION 42. 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 Quezon City. No hospital in the City shall deny women and men living below the poverty line of reproductive health services. A certificate of indigency shall be issued by the Punong Barangay for the purpose of verification. In case of emergency, a social worker or any authorized personnel shall be designated to conduct immediate appraisal of the socioeconomic status of the patient for admission purposes. The City 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 43. Women's Control over Their Bodies – Women's decision to attain healthy sexual development and achieve their reproductive intention shall be given appropriate support and guidance by all health professionals, private and public, at a reasonable cost. Provision of accurate and appropriate information on these matters and corresponding services shall be made available.*

*SECTION 44. Gender-sensitive Women and Children Protection Unit (WCPU) – The City 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 45. Gender-Fair Approach to Pre-Marital Counseling Program – The City Health Department and the Social Services and Development Department shall ensure gender-sensitive conduct required in the application for marriage licenses with the City Civil Registry.*

*SECTION 46. Mainstreaming Reproductive Health framework Through Primary Health Care Strategy – In consonance with the City Health Department's policies, Children and Youth Welfare Code, and in pursuance of agreements made at the International Conference on Population and Development (ICPD), the City government shall mainstream the Reproductive Health Approach in health care services delivery using the primary health care strategy.*

#### ARTICLE VI

##### Education Rights

*SECTION 47. Conduct of Regular Gender-Sensitivity Training for all School Heads and Teachers at All School Levels. – The Division of City Schools, in coordination with the Quezon City GAD Council, shall conduct and incorporate gender-sensitivity orientation seminar to school heads, teachers and Central Parents-Teachers Association (CPTA) at the beginning of the school year.*



**SECTION 48. Developing Gender-fair Educational Materials** – The Division of City Schools shall ensure that all educational materials developed by the City schools’ officials and the private sector are gender-fair and do not portray stereotyping of roles for men and women or boys and girls. It shall conduct a regular monitoring and review of existing educational materials to ensure that these are gender sensitive and gender fair.

**SECTION 49. Promotion of Gender-sensitive Curriculum** – All public and private schools in Quezon City shall actively promote gender-sensitivity in their subject/course curriculum and gender-fair socialization for school pupils. The Division of City Schools shall also ensure that city school officials and the private sector professional school counseling and career advocacy programs are gender responsive.

**SECTION 50 Promoting Gender-Sensitive Education Programs and Services** – All schools, offices, establishments or companies, departments and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training, including prevention of all forms of violence against women and girls, which shall equip them with theoretical and practical knowledge on gender justice.

**SECTION 51. Gender-responsive Non-formal Education for Youth and Adults** – The Division of City Schools, in coordination with Technical Education Services Development Authority - Quezon City (TESDA-QC), shall conduct non-formal classes for women and men desiring to engage themselves in functional, practical education and Alternative Learning System (ALS), to be held in barangay multi-purpose centers.

**ARTICLE VII**

**Culture and Mass Media**

**SECTION 52. Gender-sensitive Portrayals in Media** – The City government shall encourage all media institutions to be sensitive in portrayal of women’s and men’s role, encourage positive images of women, and discourage sexist and homophobic print materials and broadcast programs. γ

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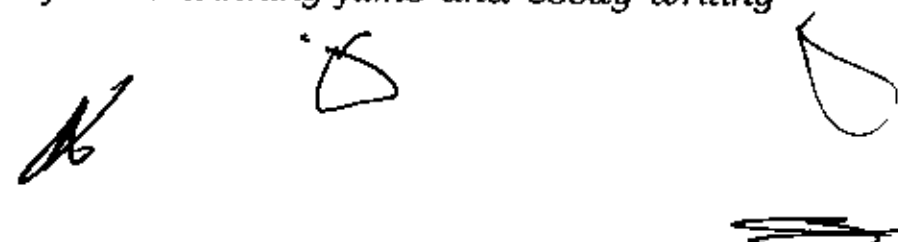
*SECTION 53. Gender-sensitivity Training for Local Media Practitioners – The City government shall encourage and support the conduct of gender sensitivity workshop training for local media practitioners at the community level and tertiary schools located in the City. It shall likewise provide full support to media practitioners and freelance/independent media productions that advocate gender-sensitive issues through various forms of incentives and recognitions.*

*SECTION 54. Regulation of Internet Cafes and Computer Shops – The City government shall regulate the operation of internet service-providing establishments, entertainment computer shops in order to curb and prevent the proliferation of access of cyber-sex pornography for minors.*

*SECTION 55. Regulation of Media Coverage During Police Raids on Entertainment Establishments – The City government shall regulate the media coverage of entertainment establishment raid operations for the prevention of exploitation of women and men entertainers and their unnecessary public exposure and humiliation.*

*SECTION 56. Yearly City Award for the Most Gender-sensitive Film at the Quezon City Film Development Commission Festival (QCFDC). – The City government shall form a special committee of jurors to select the Most Gender-sensitive film at the QCFDC Film Festival held annually.*

*There shall also be an Essay Writing Contest for Teachers and Students in all public secondary schools. The GAD Council will select the most gender-sensitive film entry as topic for the essay. The City government shall give corresponding prizes for the winning films and essay writing contest winners. γ*



**ARTICLE VIII**

**Socio-economic Rights**

**SECTION 57. Gender-responsive and Comprehensive Livelihood Program** – The City 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 Program (CLP) shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

**SECTION 58. Social Lending Program** – The City government shall establish a social lending program to cater to low-income families with interest rates similar to those availed by members of cooperatives.

**SECTION 59. Access to Investment and Loan Programs** – Loans shall be extended to women engaged in small to medium scale enterprises as well as to displaced industrial workers under the principle of self-reliance and hard work.

**SECTION 60. Low-cost Basic Services** – The City government shall facilitate access of women and men to quality low-cost housing, safe water, electricity, communication, transportation, and basic commodities.

**SECTION 61. Monitoring of Standardization of Prices of Basic Commodities** – The City government shall ensure fair marketing practices and standard pricing of basic commodities through regular price monitoring in local markets.

**SECTION 62. Economic Empowerment for Poor Women** – Feminization of poverty which is regarded as a condition when gap between the rich and the poor widens and grassroots women bear the brunt as in economic leading to instability and unequal distribution of wealth. Such gap reinforces non-response to both practical strategic interests of women. The City government shall ensure poor women of strategic and transformative mechanisms whereby they could uplift their economic and social relations.

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ARTICLE IX

*Special Sectoral Concerns*

*SECTION 63. Women with Disabilities Defined – Refers to women who are suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment to perform an activity in the manner or within the range considered normal for a human being;*

*SECTION 64. Advocacy on Differently-Abled Women's Rights and Support Mechanisms for Education and Employment – The City government shall initiate active advocacy on the rights of differently-abled women; establish special education schools/classes for them through the Division of City Schools and which shall offer appropriate curriculum for their specific needs; develop creative employment opportunities for them in recognition of their differentiated conditions and full potential as a person. The City government shall ensure that all educational and commercial buildings are provided with ramps and toilet facilities for differently-abled persons. The City government shall implement Republic Act No. 7277 or the Magna Carta for Disabled Persons, that reserves five percent (5%) of contractual or emergency positions for persons with disabilities.*

*SECTION 65. Organization of Differently-Abled 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 66. Mobilizing Support for 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 City government and the Barangay GAD Committee shall allocate funds for emergency assistance, yearly physical health check-ups, social group work program, and appropriate socioeconomic activities.*

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*SECTION 67. Support to Women in Detention – The rights of all women detainees shall be protected by ensuring them of:*

- a) speedy trial of their respective cases;*
- b) appropriate program to respond to their specific needs and problems as detainees including those related to reproductive health;*
- c) separate physical structure and space provisions for detention and rehabilitation; and*
- d) provision of legal services.*

**ARTICLE X**

*Women and Children Support System*

*SECTION 68. The City 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 and Youth Welfare Code.*

*SECTION 69. Gender-responsive and Child-friendly Child Minding Center in Every Barangay – The City government shall ensure that child-friendly and gender-responsive child day care/ 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 70. Shared Parenting and Responsibilities – The city 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 and psychological conditions.*

**ARTICLE XI**

**Gender and Development**

*SECTION 71. Gender and Development Defined –Refers to the development perspective and process that are participatory and empowering, equitable, sustainable, free from violence, respectful of human rights, supportive of self-determination and actualization of human potentials. It seeks to achieve gender equality as a fundamental value that should be reflected in development choices; seeks to transform society's social, economic, and political structures and questions the validity of the gender roles they ascribed to women and men; contends that women are active agents of development and not just passive recipients of development assistance; and stresses the need of women to organize themselves and participate in political processes to strengthen their legal rights.*

*SECTION 72. Gender Sensitivity and Training, Gender Sensitization Defined – It is a critical process of learning and unlearning by an individual, female or male, of the causes and effects of the culturally-determined roles of women and men.*

*All schools, offices, establishments or companies, departments and agencies of the City government shall be provided with gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender issues and concerns. Likewise, all establishments, schools, colleges and universities shall develop assessment tools for gender biases. ✓*



*SECTION 73. Active Support to Gender studies – A sufficient amount shall be allotted to gender-related documentation and researches which shall form part of Quezon City’s database program development.*

*SECTION 74. Production and Popularization of Campaign Gender-Fair Materials – The City government shall actively promote and publish popular forms of gender-fair materials through all concerned departments and local agencies/networks.*

*SECTION 75. Gender and Development Focal Point System (GADFPS) - The GFPS shall be composed of the GAD Council with the local chief executive as its Chair, a Technical Working Group (TWG) which is composed of the GAD Focal Persons of every department who are members of the GAD Council, and a Secretariat.*

*SECTION 76. Integrated Gender-sensitive and Environment-friendly Zonification Plan of Quezon City – An integrated gender-sensitive and environment-friendly zonification plan of Quezon City shall constitute, but is not limited to, the following:*

- a. The City government as far as practicable shall ensure that relocation of communities shall not deprive women and men of their sources to livelihood;*
- b. Relocation sites shall not contribute to an increase in women’s burden in economic, home and social production;*
- c. Housing and industrial project sites shall be those unproductive lands unsuitable for economic purposes;*
- d. Industrial center for light industry shall be placed in key districts of Quezon City while the heavy industry shall be centralized in one district. x*

*SECTION 77. Community-based Environment Plans and Programs – Both men and women shall participate in pollution control, zero-waste technology development, and management preservation of the city’s remaining tree parks and aquatic resources.*

*SECTION 78. Gender-sensitive Natural Resource-based Management Programs – The City government shall engage itself in the development of gender-sensitive natural resource-based management programs.*

*SECTION 79. Role of Women and Men in Environment Impact Assessment Projects –The City government shall promote the active role of women vis-à-vis men in environmental impact assessment of projects. Instruments for environmental impact assessment shall consciously determine sex-disaggregated data.*

*SECTION 80. Promotion of Appropriate Technology – The City Government of Quezon City shall actively promote alternative technologies that are appropriate and safe for women.*

*SECTION 81. Sufficient Budget for Basic Social Services. – A sufficient amount shall be allocated from all sources of funds for the basic social services for women and children in extremely difficult circumstances.*

*SECTION 82. Investments and Loans – The City government shall hold consultative assemblies with women NGOs/POs in establishing contracts for loans and investments to clarify implications on women’s welfare and development at the barangay level.*

*SECTION 83. Overseas Contract Workers’ (OCW) Wives and Children Support – The City government shall conduct a survey of overseas contract workers at the barangay level, out of which shall serve as basis for special support to OCW families, especially wives and children.*

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*SECTION 84. Special Course on OCW – A special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be conducted in all barangays to be organized by their respective Barangay GAD Committee.*

*SECTION 85. Education on National Policies – Women and men shall undertake education on national policies and their implications on women.*

*SECTION 86. Special Training for Lupong Tagapamayapa and Barangay Public Safety Officers (BPSOs) – All training courses for Barangay Lupong Tagapamayapa and BPSOs shall include basic orientation on gender and development and gender-based violence.*





*SECTION 87. Gender and Population – The City Health Department shall review and redesign the population program based on the reproductive health framework.*

*SECTION 88. Training on Non-traditional Occupation – Women shall be given opportunity to acquire training on non-traditional occupation specially in the field of science and technology.*

**BOOK II – FINAL PROVISIONS**  
**CHAPTER I – PENAL PROVISIONS**

**ARTICLE I. Violence Against Women and Children**

*SECTION 1. Soliciting Sexual Services – It is unlawful for a person to solicit a woman's service for sexual purposes as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such act without prejudice to the provisions of the Revised Penal Code and R.A. No. 9208, otherwise known as the Anti-Trafficking in Persons Act. Any person may file complaint together with the affected women to the proper court. Violators of this Code shall suffer the penalty in accordance with Republic Act No. 9208. ✕*

*SECTION 2. Trafficking in Women and Children – Any person or agency, who, with the use of force or deceit, lures a woman or boy/girl child to work abroad or in other provinces or cities in the Philippines for a particular job with a promise of high fees, but instead landed on prostitution, domestic help or other odd or dangerous jobs. Violators of this provision shall be penalized in accordance with the penal provisions under R.A. No. 9208 or the Anti- Trafficking in Persons Act, R.A. No. 7610 or the Law on Protection Against Child Abuse, R.A. No. 7877 or the Anti-Sexual Harassment Law, R.A. No. 8353 or the Anti-Rape Law, and the Revised Penal Code.*

*SECTION 3. Prostitution Sex Trade – An agency or person who shall engage in keeping women for sex for a fee shall suffer the penalty in accordance with the Revised Penal Code. Entertainment establishment that promotes prostitution as defined in this Code shall suffer the penalty in accordance with R.A. No. 7610, R.A. No. 9208, R.A. No. 7877, R.A. No. 8353, and R.A. No. 7658.*

*SECTION 4. Sex Tours – No hotels, beach resorts, sauna baths and related establishments shall be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of Five Thousand Pesos (P5,000.00) and imprisonment of one year shall constitute the penalty for violation.*

*SECTION 5. Fund-raising Initiative Defined – It refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing or movies, or any similar fund-raising undertakings where women are used as donor prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds. All fund-raising initiatives as defined in this Code shall be strictly prohibited in Quezon City. Violators of this provision shall pay a fine of Five Thousand Pesos (P5,000.00) or an imprisonment of six (6) months, or both at the discretion of the court. y*



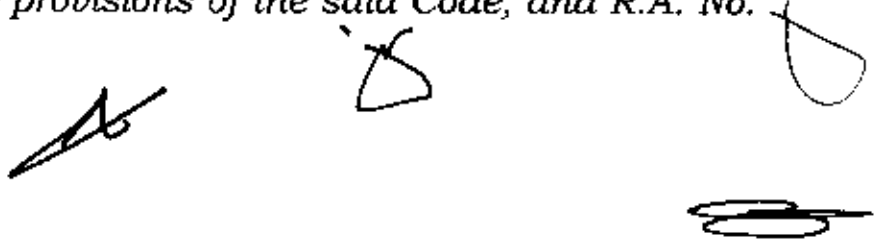
*SECTION 6. Women and Girls in Detention – No women or girl child shall be kept by any PNP/military personnel in police/military detachment/checkpoint or any analogous quarters for purposes of comfort or otherwise, and may not be deprived of basic social service in detention. Violations shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.*

*SECTION 7. Regular Surveillance of Entertainment Establishments – A City Interdepartmental Task Force shall be created to conduct regular surveillance of business establishments involved in trading women’s bodies such as:*

*(a) prostitution;*

*(b) printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and literature that treat women as sex objects and commodities; organizing production of pornographic and indecent shows depicting women and girls as sexual objects either in nude or provocative gestures; and mounting live shows where women or girl-child are influenced or forced to dance or do naked shows in public or private places. Any person or agency who engages in organizing or producing these activities that exploit women and girl children violate human rights and shall be dealt with under the law. Failure of the Task Force to submit weekly report shall be subject to administrative sanctions.*

*SECTION 8. Violence Against Women – Any violator of this Code as stipulated in Section 1, Article I, Chapter 2 in Book I of the Revised Penal Code shall be penalized in accordance with the provisions of the said Code, and R.A. No. 9262.*

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**SECTION 9. Sexual Harassment of Women in Public Spaces – The following which constitute sexual harassment in public places shall be penalized:**

a. *Light violations - Cursing, wolf-whistling, catcalling, repeatedly asking for the number or for dates, or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate, or embarrass the woman such as but not limited to persistent telling of offensive jokes (taunting a person with constant talk about sex, sexual innuendoes, green jokes or other analogous statements) to someone who finds them offensive, demeaning, threatening or humiliating.*

*First Offense: shall be punished by arresto menor (1 to 5 days) or a fine of PHP1,000*

*Second Offense: shall be punished by arresto menor (6 to 10 days) or a fine of PHP2,000*

*Third Offense: shall be punished by arresto menor (11 to 30 days) or a fine of PHP5,000*

b. *Medium violations –Stalking, Making offensive mouth, tongue, lip, hand or body gestures at someone, or other analogous gestures or visual harassment directed at a woman for the sexual gratification of the perpetrator or with the intention to demean, sexually harass, intimidate, or threaten a woman.*

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*[Signature]*

- 1st offense: shall be punished by arresto menor (1 to 5 days) or a fine of PHP1,000
- 2nd offense: shall be punished by arresto menor (6 to 10 days) or a fine of PHP3,000
- 3rd offense: shall be punished by arresto menor (11 to 30 days) or a fine of PHP5,000

c. Severe violations - Touching, pinching, or brushing up against the body of a person unnecessarily or deliberately; either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks; the introduction of any object into the genitalia, anus or mouth, of any person, whether of the same or opposite sex; public masturbation, lascivious exhibition of the genitals or pubic area of a person or other analogous acts of lasciviousness directed at a woman for the sexual gratification of the perpetrator or with the intention to demean, sexually harass, intimidate, or threaten a woman.

- 1st offense: shall be punished by arresto mayor (1 to 6 months) or a fine of PHP3,000
- 2nd offense: shall be punished by arresto mayor (1 to 6 months) or a fine of PHP4,000
- 3rd offense: shall be punished by prison correccional (6 months to 1 year) or a fine of PHP5,000

*SECTION 10. Pedophilia – Any act falling under the definition of pedophilia shall constitute a violation of this Code as stipulated in Section 9, Article I, Chapter 2 in Book I of the Revised Penal Code. Any violator of this provision shall be penalized in accordance with the said Code, R.A. No. 9208, and R.A. No. 7610.*

## ARTICLE II

### Labor and Employment

*SECTION 11. Equal Access to Job Training and Promotion – No woman shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion, and civil status. Violations by private employers shall constitute a fine of Five Thousand Pesos (P5,000.00) and temporary cancellation of business permit for the first offence, and Five Thousand Pesos (P5,000.00) fine and permanent cancellation of business permit for the second offense or as prescribed by the Court in accordance with penal provisions under the Labor Code. Government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).*

*SECTION 12. Facilities and Support Systems for Women – The City government shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:*

- a. Provide seats for women and permit them to use such seats when they are free from work and during working hours, provided they can perform their duties in this position without detriment to efficiency;*
- b. Establish separate toilet rooms, lavatories and lounges for men and women; and*
- c. Provide breast feeding corners for women in the workplaces. Violation by private employers shall constitute a fine of Five Thousand Pesos (P5,000.00) and the cancellation of business permit or as prescribed by the Court. Government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00). ✓*





**SECTION 13. Increased Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the Public and Private Sector** – Any employer who violates the provision of Section 29, Article IV, Chapter I of this Code shall pay a fine of Five Thousand Pesos (P5,000.00) and a suspension of business permit or license to operate for six (6) months. For local government department or agency, administrative sanctions shall be imposed.

**SECTION 14. Barangay Education on Gender Sensitivity** – All barangays in Quezon City shall conduct compulsory training and education for both Barangay Public Safety Officers (BPSOs), barangay officials, house helpers, and house helper employers on gender sensitivity. An administrative sanction shall be imposed to any barangay council which fails to comply with this provision.

**SECTION 15. Orientation on Sexual Harassment** – All government and commercial and private offices, agencies, establishments or companies located in the City shall conduct regular orientation seminars on sexual harassment for their respective employees. Certificate of compliance shall be issued by the Public Employment Service Office (PESO). Establishments which fail to comply with this provision shall pay a fine of not less than Three Thousand Pesos (P3,000.00) immediately or at the discretion of the Court.

### ARTICLE III

#### Socio-economic Benefits

**SECTION 16. Socialized Lending Program** – All financial/lending institutions and cooperatives shall open special windows for lending to women engaged in small-to medium-scale enterprises, including young women who lack access to traditional sources of collateral. Money-lending institutions shall establish a “socialized lending scheme friendly to women” subject to the following conditions:

- a. Based on cooperatives' interest rates;
- b. No postdated checks for payment;

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- c. *Submission of a Certificate of Income-generating Activity of potential beneficiary from her barangay.*
- d. *Failure to comply with this provision shall subject the concerned establishments to administrative sanctions.*

#### ARTICLE IV

##### *Special Sectoral Concerns*

*SECTION 17. Barangay-level Sanction on Cases of Harassment Committed Against Women with Disabilities and Elderly Women – All barangays in Quezon City shall formulate a barangay-level sanction on cases of harassment committed against women with disabilities and elderly women. Failure to comply with this provision shall subject the barangay council to an administrative sanction.*

#### ARTICLE V

##### *Gender and Development*

*SECTION 18. Gender Sensitivity Orientation and Training – All schools, offices, establishments or companies, departments and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and prevention of gender-based violence training which shall equip them with theoretical and practical knowledge on gender justice. Non-compliance of this provision shall require the concerned party to pay a fine of Five Thousand Pesos (P5,000.00).*

#### CHAPTER II

##### *Provisions for Implementation*

*SECTION 19. Powers and Functions of the City Gender and Development (GAD) Council – the City GAD Council shall ensure the promotion of women's empowerment and equality/equity between women and men in the City: and is primarily responsible for ensuring the sustained implementation of this City GAD Code. To achieve these, it shall perform the following powers and duties: A*

*A B*

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A. Local Chief Executive (LCE) shall:

- a. Issue policies and/or directives that support gender mainstreaming in the policies, plans, PPAs and services of the LGU as well as in its budget, systems, processes and procedures of the LGU, including the creation, strengthening, modification or reconstitution of the Gender and Development Focal Point System (GFPS);
- b. Ensure the implementation of the GPB and approve Gender and Development Annual Report (GAD AR) and other GAD-related reports of the LGU as maybe required by the MCW-IRR and this (Joint Memorandum Circular (JMC), duly endorsed by the Gender and Development Focal Point System (GFPS) Executive Committee and with the assistance of the Gender and Development Focal Point System Technical Working Group (GFPS-TWG).

B. The GFPS Executive Committee shall:

- a. Provide policy advice to the LCE to support and strengthen the Gender and Development Focal Point System (GFPS) and the LGU's gender mainstreaming efforts;
- b. Direct the identification of GAD strategies, Policies, Programs and Activities (PPAs) and targets based on the results of gender analysis and gender assessment, taking into account the identified priorities of the LGU and the gender issues and concerns faced by the LGU's constituents and employees;
- c. Ensure the timely submission of the LGU GPB, GAD AR and other GAD-related reports to the DILG which shall be consolidated for submission to Philippine Commission on Women (PCW) and appropriate oversight agencies; ✓

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- d. *Ensure the effective and efficient implementation of the GAD PPAs and the judicious utilization of the GAD budget;*
- e. *Build and strengthen the partnership of the LGU with concerned stakeholders such as women's groups or CSOs, national government agencies, GAD experts and advocates, among others in pursuit of gender mainstreaming;*
- f. *Recommend awards and/or incentives to recognize outstanding GAD PPAs or individuals who have made exemplary contributions to GAD.*

*SECTION 20. Creation and Functions of the Gender and Development Technical Working Group (GAD TWG) - The GFPS Technical Working Group (TWG) shall be composed of, but not limited to, key staff from the various LGU offices/ departments or committees represented in the GFPS Executive Committee, including a representative from the LCE's office, members from the private sector, academe and civil society organizations as appropriate. The Gender and Development Focal Point System Technical Working Group (GFPS-TWG) Chair shall be elected from among the GFPS TWG members. The designation of the GFPS TWG Chair shall be made official through the issuance of a Memorandum duly signed by the LCE and endorsed by his or her immediate supervisor or concerned LGU Department Head. The GFPS TWG Chair may designate a secretariat to assist the TWG in its functions.*

*The GAD Technical Working Group (TWG) shall:*

- 1. Facilitate the gender mainstreaming efforts of the LGU through the GAD planning and budgeting process;*
- 2. Formulate and submit the comprehensive medium term (three years) and annual LGU GPB in response to the gender gaps and issues, including gender-based violence, faced by their constituents including their women and men employees;*

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3. Assist in the capacity and competency development of and provide technical assistance to the offices or units of the LGU. In this regard, the TWG shall work with the Human Resource Development Office (HRDO) on the development and implementation of a capacity development program on GAD, including on prevention of Gender-Based Violence for its employees, as necessary;
4. Coordinate with the various units/offices of the LGU 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. Monitor the implementation of GAD-related PPAs and suggest corrective measures to improve their implementation;
7. Prepare and consolidate LGU GAD ARs and other GAD-related reports; and
8. Provide regular updates and recommendations to the LCE or GFPS Executive Committee regarding GFPS' activities and the progress of the LGU in gender mainstreaming based on the feedback and reports of concerned LGU offices/units, stakeholders and constituents.
9. Review all GAD PPAs from barangay to city level prior to implementation to monitor if activities to be undertaken are in accordance with guidelines set forth.

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10. Disseminate information on current developments and studies on GAD and related issues (i.e. gender and governance, and gender-based violence).
11. All other duties and functions that maybe mandated by its council members deemed necessary to achieve its goals.

*SECTION 21. Creation and Function of the Gender and Development (GAD) Secretariat/ Office - The GFPS Secretariat, and whenever feasible the GAD office or unit may also be established under the Office of the LCE that will support and coordinate all GAD-related PPAs and concerns of the LGU GFPS. The LCE may also appoint or designate the LGU personnel to manage the GAD office and/or unit.*

*The GAD Secretariat shall:*

1. Assist the GFPS Executive Committee and the TWG in the performance of their roles and responsibilities, specifically on the provision of administrative and logistical services;
2. Preparation of meeting agenda; and
3. Documentation of GFPS' meetings and related GAD activities.

*The Council operations shall be detailed in the Implementing Rules and Regulations of this Code.*

*SECTION 22. Community Education on Trafficking - The barangay GAD Committees shall organize massive information campaigns and continuing education on trafficking of women and children; monitor trafficking activities in their respective communities; and develop a system for reporting or referral of traffic victims to appropriate agencies.*



*SECTION 23. Special Body to Investigate Cases of Violations of Women Under Police or Military Detention – No woman or girl child shall be kept by any PNP/military personnel in police/military detachment/ checkpoint or any analogous quarters for purposes of comfort nor be deprived of basic social service in detention. Violations shall be penalized through summary dismissal proceedings of the local AFP/ PNP and/or at the discretion of the local Police Law Enforcement Board.*

*SECTION 24. Generating Sex-disaggregated Data and Undertaking Gender Analysis – It shall be the main function of all Barangay GAD Committees to periodically generate sex-disaggregated data on their respective communities. This shall all be the duty of all concerned city departments and offices and partner NGOs and POs to enable them to provide situational analysis for better formulation of the City GAD Plan.*

*SECTION 25. Guidelines for Determining Gender Biases – The City government, through the City Personnel Department shall issue guidelines to determine gender biases in City government departments and instrumentalities, schools, and private offices, commercial/industrial establishments, etc., and promote the prevention of these biases.*

*SECTION 26. Creation of a City Tripartite Committee to Monitor the Implementation of Labor Standards – There shall be a Tripartite Committee composed of representatives from the Public Employment Services Office (PESO), organized labor and association of employers.*

*The Tripartite Committee shall be tasked to:*

- a. Monitor the implementation of labor standards set under this Code.*
- b. Establish a Labor Assistance Desk where women workers could file complaints or seek legal assistance/advice on labor issues to promote industrial peace; ✓*

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- c. Recommend to the City Council on issues or complaints lodged with the Labor Assistance Desk;
- d. Formulate rules/mechanics for monitoring labor standards; and
- e. Conduct regular labor standards orientation for the City's women workers in coordination with the PESO and Department of Labor and Employment Quezon City Field Office (DOLE-QCFO).

*SECTION 27. Implementing Rules and Regulations - Upon effectivity of this Ordinance, a Drafting Committee to formulate the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Ordinance shall be convened by the City GAD Council, with the assistance of the GAD TWG.*

*SECTION 28. Compliance Report - Within six (6) months from the effectivity of this Code and every six (6) months thereafter, all City Government department and instrumentalities, shall submit a report to the City Council on their compliance with this Code.*

*SECTION 29. Appropriation - For the effective implementation of this Ordinance, the City Government shall appropriate five percent (5%) of the City's Annual Development Fund in pursuance of R.A. No. 7192, R.A. No. 9710 and PCW-DILG-DBM-NEDA JMC 2013-01.*

### CHAPTER III

#### Final Provisions

*SECTION 30. Independent Action for Damages - Nothing in the Ordinance shall preclude the victim of sexual harassment in public spaces from instituting a separate and independent action for damages and other affirmative relief.*

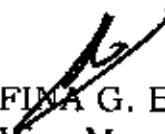
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*SECTION 31. Separability Clause – If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provision thereof which are not affected thereby, shall continue to be in full force and effect.*

*SECTION 32. Effectivity Clause – This Ordinance shall take effect upon approval and after publication in the newspaper of general circulation.*

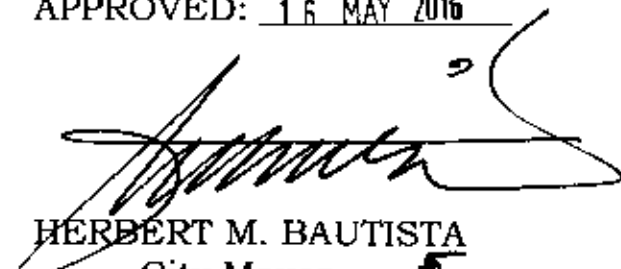
*ENACTED: February 29, 2016.*

  
MA. JOSEFINA G. BELMONTE  
Vice Mayor  
Presiding Officer

ATTESTED:


  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III

APPROVED: 16 MAY 2016

  
HERBERT M. BAUTISTA  
City Mayor

**CERTIFICATION**

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on February 29, 2016 and was PASSED on Third/Final Reading March 7, 2016.*

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III