



Republic of the Philippines  
**QUEZON CITY COUNCIL**

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

PR19CC-041

32<sup>nd</sup> Regular Session

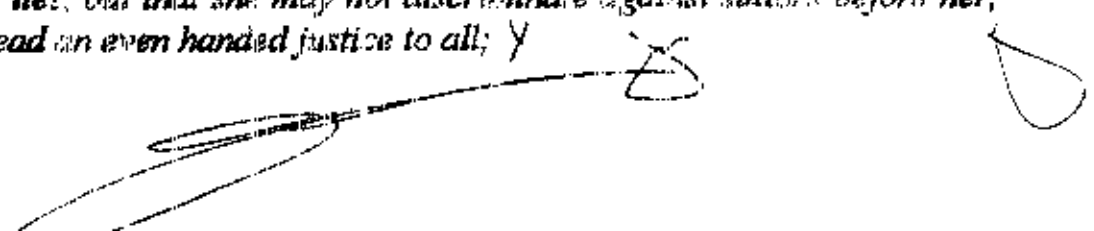
RESOLUTION NO. SP- **6060**, S-2014

**A RESOLUTION URGING CONGRESS OF THE PHILIPPINES TO PASS AN ACT AMENDING AND EXPANDING THE COVERAGE OF ARTICLE 333, CHAPTER ONE, TITLE ELEVEN OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND REPEALING ARTICLE 334 CHAPTER ONE, TITLE ELEVEN OF ACT NO. 3815 KNOWN AS REVISED PENAL CODE.**

*Introduced by Councilors RAMON P. MEDALLA, JESUS MANUEL C. SUNTAY, VICTOR V. FERRER, JR., EUFEMIO C. LAGUMBAY and GODOFREDO T. LIBAN II.*

*Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmonte, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Rodrick M. Paulate, Ramulfo T. Ludovica, Estrella C. Valmoxana, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Franz S. Pamaren, Jose Mario Don S. De Leon, Jaime F. Borres, Adarvin C. Rillo, Vincent DG. Belmonte, Raquel S. Malatigen, Jussica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julianne Alyson Rae V. Medalla, Andres Jose G. Yllana, Jr., Allan Hatch T. Francisco, Karl Edgar C. Castelo, Candy A. Medina, Diorella Maria G. Sotto, Rogelio "Roger" P. Juran, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.*

*WHEREAS, Section 1, Article III of the 1987 Constitution guarantees equal protection of the laws. According to the noted Constitutionalist, Fr. Joaquin G. Bernas, S.J., in his book entitled "The 1987 Philippine Constitution, A Comprehensive Reviewer" the equality of all persons before the law. "Under it, each individual is dealt with as an equal person in the law which does not treat the person differently because of who he is or what he possesses. The goddess of justice is portrayed with a blindfold, not because she must be hindered in seeing where the right lies, but that she may not discriminate against suitors before her, dispensing instead an even handed justice to all; Y*



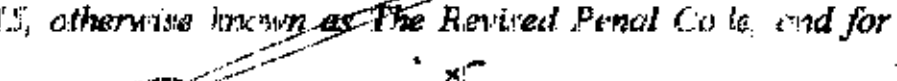
*WHEREAS, Act No. 3815, otherwise known as the Revised Penal Code, came into effect on the first day of January 1932. More than eighty (80) years have passed after it took effect, many of its articles have remained the same despite the changes and advances in the society. Over the years, our society have started to accept and respect the rights of what is known as the LGBT group, which comprises the lesbian, gays, bisexuals and transsexual. As a result, some countries and states all over the world are starting to legalize gay marriages. People associate this development to gender equality. Although open and supportive of gender equality, we must not limit its concept with the positive side of things. Just like in a marriage, equality should be present "for better or worse", meaning, equality must be upheld both in the rewards and as well as in the sanctions given by society. If the LGBT group insists into equal rights, they must also be prepared to accept and carry the burden of equal liability and responsibility. That is the essence of democracy;*

*WHEREAS, as the law now stand, a married woman who shall have sexual relation with a man other than her husband, she commits adultery. On the other hand, a married man who shall have sexual intercourse, under scandalous manner with a woman who is not his wife, he commits concubinage. But what if a married woman engages in a sexual activity with another woman? Conversely, what if a married man engages in a sexual activity with another man? Under the present law, no crime is committed.*

*In a similar vein, the law penalizes a married woman who has sexual relation with a man other than her husband. Conversely though, a married man will not be penalized having sexual intercourse with a woman other than his wife unless the same be made in a scandalous manner, or if the married man keeps the woman in his dwelling, or if he cohabits with her in another place;*

*WHEREAS, in the given scenarios, it seems that equality is not present. Therefore, it is clear that the present law should be amended so as to reflect not only gender equality but equality in general;*

*WHEREAS, it is hereby resolved that the Honorable Quezon City Council respectfully urged Congress to pass an Act Amending and Expanding the coverage of Article 333 Chapter One, Title Eleven of Act No. 3815, otherwise known as The Revised Penal Code and Repealing Article 334 Chapter One, Title Eleven of Act No. 3815, otherwise known as The Revised Penal Code, and for other purposes;*




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**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED,** to urge, as it does hereby urge Congress of the Philippines to pass an act amending and expanding the coverage of Article 333 Chapter One, Title Eleven of Act No. 3815, otherwise known as the Revised Penal Code, and repealing Article 334 Chapter One Title Eleven of Act No. 3815 known as the Revised Penal Code.

**ADOPTED:** July 21, 2014.

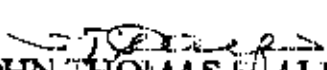
  
**ANTHONY PETER ELORISO**  
Acting Vice Mayor  
Acting Presiding Officer

**ATTEST:**

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

**CERTIFICATION**

**This is to certify that this Resolution was APPROVED by the City Council on Second Reading on July 21, 2014 and was CONFIRMED on July 28, 2014.**

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