



**Republic of the Philippines
CITY COUNCIL
City of Manila**

REGULAR SESSION NO. 116

10TH CITY COUNCIL

**Begun and held in the City Council on Thursday,
the thirty-first day of May, Two Thousand Eighteen**

ORDINANCE NO. 8548

**AN ORDINANCE PENALIZING CATCALLING AND OTHER FORMS OF PUBLIC
SEXUAL HARASSMENT, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER
PURPOSES**

PRINCIPAL AUTHORS:

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HON. ELIZABETH Z. RIVERA**

Be it ordained by the City Council of Manila, in session assembled, **THAT:**

SECTION 1. Short title. – This Ordinance shall be known as “**Sexual Harassment in Public Spaces**”.

SEC. 2. Definition of terms. – As used in this Ordinance, the following terms shall have the following meanings:

- (a) Catcalling - is a loud or raucous cry made especially to express disapproval and which is a derisive remark.
- (b) Cursing - is the use of words tending to ridicule on the basis of actual or perceived sex, gender expression, or sexual orientation and identity including sexist, homophobic and transphobic slurs.
- (c) Leering - is the act of casting lascivious, knowing or wanton looks or sidelong glances directed at a person because of their actual perceived sex, gender, gender expression, or sexual orientation or identity.
- (d) Public Spaces - include, but are not limited to, street and alleys, public parks, schools, government buildings, malls, bars, restaurants, transportation terminals, public markets, and public utility vehicles.
- (e) Sexual Harassment in Public Spaces or SHiPS - constitutive of unwarranted comments, gestures and actions forced on a person in a public space without their consent and is directed at them because of their actual or perceived sex, gender, gender expression, or sexual orientation and identity, including but not limited to unwanted cursing, wolf-whistling, catcalling, leering, sexist, homophobic or transphobic slurs, persistent requests for someone's name, number, destination after clear refusal, persistent telling of sexual jokes, use of sexual names, comments and demands, following, flashing, public masturbation, groping, stalking, and all analogous cases of sexual harassment and/or sexual assault.
- (f) Stalking - an intentional act committed by a person who, knowingly and without any lawful jurisdiction follows a person or places the person under surveillance.
- (g) Wolf whistling - “*paninipol*” in Filipino, is the making of a distinctive 2-toned whistle sounded to express approval or disapproval of another person's appearance and is directed at the person because of the person's actual or perceived sex, gender, gender expression, or sexual orientation and identity.

SEC. 3. Specific prohibited acts and penalties. – The following are Sexual Harassment in Public Spaces or SHiPS, and are hereby declared as infractions penalized as follows:

- (a) Light violations are punishable with imprisonment of between one (1) day to fifteen (15) days, and/or a fine ranging from Two Hundred Pesos (PhP. 200.00) to One Thousand Pesos (PhP. 1,000.00), or both, at the discretion of the Court, inclusive of a Gender Sensitivity Seminar to be conducted by the Philippine National Police (PNP) in coordination with the local government unit and the Philippine Commission on Women (PCW).

Those who are consequently found guilty of the same offense more than once and considered as recidivist will be imposed a fine of fifteen (15) days to thirty (30) days imprisonment, and/or a fine ranging from One Thousand Pesos (PhP. 1,000.00) to Two Thousand Pesos (PhP. 2,000.00), or both, at the discretion of the Court.

Light violations include the following:

- (1) Wolf whistling;
 - (2) Catcalling;
 - (3) Leering;
 - (4) Persistent requests for name and contact details after a person has conveyed refusal to share these information;
 - (5) Cursing; or
 - (6) Persistent telling of sexual jokes.
- (b) Medium violations are punishable with imprisonment of between one (1) month to three (3) months, and/or a fine ranging from One Thousand Pesos (PhP. 1,000.00) to Three Thousand Pesos (PhP. 3,000.00), or both at the discretion of the Court, inclusive of a Gender Sensitivity Seminar to be conducted by the Philippine National Police (PNP) in coordination with the local government unit and the Philippine Commission on Women (PCW).

Those who are consequently found guilty of the same offense more than once and considered as recidivist will be imposed a fine of three (3) months to six (6) months imprisonment, and/or a fine ranging from Three Thousand Pesos (PhP. 3,000.00) to Five Thousand Pesos (PhP. 5,000.00), or both at the discretion of the Court.

Medium violations include the following:

- (1) Making offensive body gestures with the effect of demeaning, harassing, threatening or intimidating the offended party; or
 - (2) Exposing private parts for the sexual gratification of the perpetrators.
- (c) Severe violations are punishable with imprisonment of between three (3) months to six (6) months, and/or a fine ranging from Three Thousand Pesos (PhP. 3,000.00) to Five Thousand Pesos (PhP. 5,000.00), or both at the discretion of the Court, inclusive of a Gender Sensitivity Seminar to be conducted by the Philippine National Police (PNP) in coordination with the local government unit and the Philippine Commission on Women (PCW).

Those who are consequently found guilty of the same offense more than once and considered as recidivist will be imposed a fine of six (6) months to one (1) year imprisonment, and/or a fine ranging from Four Thousand Pesos (PhP. 4,000.00) to Five Thousand Pesos (PhP. 5,000.00), or both, at the discretion of the Court.

Severe violations include the following acts:

- (1) All the acts mentioned in paragraphs (a) and (b), when accompanied by touching, pinching or brushing against the body of a person; or
- (2) Stalking.

The penalties imposed ~~under this~~ Ordinance shall be separate and distinct from any other penalty, the guilty party may suffer as a consequence of performing an act punishable under the *Revised Penal Code* or any other law. It shall also be without prejudice to administrative sanctions that may be imposed if the perpetrator is a government employee.

SEC. 4. Implementation. – Office of the City Mayor, or any other office as may be designated by the City Mayor, shall implement this Ordinance.

SEC. 5. Separability Clause. – If any provision of this Ordinance shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 6. Repealing Clause. – All ordinances, executive orders and issuances, or any part thereof, which are inconsistent herewith are hereby repealed or amended accordingly.

SEC. 7. Effectivity Clause. – This Ordinance shall take effect immediately upon its approval.

This Ordinance was finally enacted by the City Council of Manila on June 28, 2018.

PRESIDED BY:


ERNESTO G. DIONISIO
Acting Presiding Officer
City Council, Manila

ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON _____
DEEMED APPROVED ON JULY 13 2018

JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:

EDWARD S. SERAPIO
City Government Department Head III
(Secretary to the Mayor)



Republic of the Philippines
CITY COUNCIL
Manila

CERTIFICATION

This is to certify that CITY ORDINANCE NO. 8548 ENTITLED: "AN ORDINANCE PENALIZING CATCALLING AND OTHER FORMS OF PUBLIC SEXUAL HARRASSMENT, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES." was enacted by the City Council of Manila during its regular session on June 28, 2018. The same was forwarded to the Office of the Honorable Mayor on July 2, 2018.

On 13 July 2018, this office, received the 3rd Indorsement from the Office of the Secretary to the Mayor returning the subject Ordinance without action. Considering that more than ten (10) days had lapsed, without any communication that the Ordinance was approved or vetoed by the Local Chief Executive, Ordinance No. 8548 shall be DEEMED APPROVED as if he had signed it, pursuant to the Section 54 par. (b) of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 18th day of September 2018, in the City of Manila.


LUCH R. GEMPIS, JR.

City Gov't. Dept. Head III
Secretary to the City Council