



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 82

11TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the twenty-fourth day of September, Two Thousand Twenty

ORDINANCE NO. 8681

**AN ORDINANCE PROVIDING FOR A CITY GENDER AND DEVELOPMENT CODE
FOR THE CITY OF MANILA AND FOR OTHER PURPOSES**

PRINCIPAL AUTHORS:

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HON. WARDEE P. QUINTOS
Acting Majority Floor Leader

and

HON. JOEL R. CHUA
Acting Presiding Officer



PREAMBLE

WHEREAS, it has been a declared policy under our Constitution that the dignity of every human person shall be valued and full respect on human rights guaranteed;

WHEREAS, the Philippines, as part of the community of nations, adopts the generally accepted principles of international laws as part of the law of the land. Among others, it adheres to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Beijing Declaration and Platform of Action (BPfA), Millennium Development Goals (MDG), International Covenant of Economic Social and Cultural Rights (CESCR), the International Covenant on Civil and Political Rights (ICCPR) that champion equality between women and men;

WHEREAS, the Philippines, by accepting these international principles commits itself to undertake a series of measures to end discrimination against women in all forms, including the incorporation of principle of equality of women and men in their legal, political and social mainstream system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women; to establish tribunals and other public institutions to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises;

WHEREAS, on June 2011, the Human Rights Council adopted Resolution 17/19 expressing grave concerns on violence and discrimination on individuals on the basis of sexual orientation and gender identity was followed by another Resolution approved last September 26, 2014 combating violence and discrimination based on sexual orientation and gender identity;

WHEREAS, Section 36 (b) of Republic Act No. 9710, known as the Magna Carta of Women, mandates the local government units to establish or strengthen the GAD Focal Point System to catalyze and accelerate gender mainstreaming within the local government unit;

WHEREAS, as part of the Philippine Government, the City of Manila adopts a policy of ensuring equality between women and men, and elimination of all forms of discrimination against women including LGBTQ+;

WHEREAS, the City of Manila shall strive to be the best gender-responsive government unit in the Philippines;

WHEREAS, in order to realize this achievable goal, there is a need to enact a Gender and Development (GAD) that will set a pace on the effort of the City in—promoting, protecting and fulfilling women and LGBTQ+ human rights towards the attainment of women empowerment and gender equality in the locality: NOW, THEREFORE,

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

ARTICLE 1 (GENERAL PROVISIONS)

TITLE, LEGAL MANDATE, PRINCIPLES AND DEFINITION OF TERM

SECTION 1. Title. – This Ordinance shall be known as the “GENDER AND DEVELOPMENT CODE OF THE CITY OF MANILA” hereinafter referred to as “GAD Code”.

SEC. 2. Legal Mandates. – The adoption of this ordinance shall adhere to the principles of Local and International mandates and frameworks as well as policies related to GAD/Women and State obligations and commitments on GAD/Women

a. Local Laws and Policies

- a. Ordinance No. 7903 – Linggo ng Kababaihan (Approved on April 8, 1996)
- b. Ordinance No. 8349 – An Ordinance amending Ordinance No. 8179 otherwise known as the Manila City STI/AIDS Council Ordinance of 2008 (Approved on July 17, 2014)
- c. Ordinance No. 8548 – Ordinance penalizing catcalling and other forms of public sexual harassment, prescribing penalties thereon and for other purposes (deemed approved on July 13, 2018)

b. National Laws and Policies

- a. Article II, Section 14 of the 1987 Constitution which states that the “State recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men”.
- b. Article XIII, Section 14 of the 1987 Constitution which recognizes women’s maternal and economic role.
- c. Article XIII, Section 11 of the 1987 Constitution which recognizes women’s special health needs.
- d. R.A. 7160 or the Local Government Code of 1991 which mandates LGU’s to promote the general welfare and provide basic services and facilities to constituents.
- e. R.A. 7192 or the Women in Development and Nation-Building Act which promotes the integration of women as full and equal partner of men in development and nation-building.
- f. R.A. 9710 of the Magna Carta of Women, the comprehensive women’s human rights law.
- g. Section 28 of the General Appropriation Act (GAA) from 1995 to 2000 directing government entities formulate a GAD plan, the cost of which shall not be less than five percent (5%) of their yearly budget, otherwise known as the GAD budget.
- h. Executive Order (EO) 273 which directs all government agencies to institutionalize GAD efforts in government by incorporation GAD concerns in their planning, programming and budgeting processes. It also mandates agencies to incorporate and reflect GAD concerns in their agency performance commitment contracts, annual budget proposals and work and financial plans.
- i. Local Budget Memorandum No. 28 which directs local government units to mobilize resources to mainstream and implement gender and development programs using at least five percent (5%) to (30%) GAD budget.
- j. Joint Circular 2012-01 of the PCW-NEDA-DBM or the Guidelines for the preparation of Annual Gender and Development (GAD) Plans and Budgets and Accomplishment Report to implement the Magna Carta of Women
- k. PCW-DILG-DBM-NEDA joint Memorandum Circular No. 2013-01 or the Guidelines on the Localization of the Magna Carta of Women.
- l. Civil Service Commission Memorandum Circular No. 12, s. 2005 which encourages all heads of constitutional bodies, departments, bureaus, offices and agencies of the national government, local government units, state universities and colleges, government-owned and/or controlled corporations the use of non-sexist language in all official documents, communications and issuances.
- m. Philippine Plan for Gender-responsive Development (PPGD), 1995 – 2025 which envisions a society that promotes gender equality and women’s empowerments and upholds human rights, among other development goals.

- n. Framework Plan for Women (FPW) which encourages agencies to promote gender-responsive governance, protect and fulfill women's human rights and promote women's economic empowerment.
- o. R.A. 6725 or the Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment.
- p. R.A. 7322 or the Act Increasing Maternity Benefits in favor of Women Workers in the Private Sectors.
- q. R.A. 7688 or the Social Security Act of 1997.
- r. R.A. 7877 or the Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment.
- s. R.A. 8343 or the Act Expanding the Definition of the Crime of Rape, Reclassifying the same as a Crime Against Persons.
- t. R.A. 8353 or the Anti-Rape Law of 1997.
- u. R.A. 8505 or the rape Victim Assistance and Protection Act.
- v. R.A. 8972 or the Solo Parent Welfare Act.
- w. R.A. 9208 or the Act which Institutionalize Policies to eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanism for the Protection and Support of trafficked Persons, Providing Penalties for its Violators and of the purposes.
- x. R.A. 9262 or the Anti-Violence Against Women and Children.
- y. Reproductive Health Care Act of 2002.
- z. R.A. 6972 or the Act Establishing a Day Care Center in Every Barangay.
- aa. R.A. 6949 which declares March 8 of every year as a working holiday to be known as National Women's Day.
- bb. R.A. 11210 An Act Increasing the Maternity Leave Period to One Hundred Five (105) Days for Female Workers With an Option to Extend for an Additional Thirty (30) Days Without Pay, and Granting an Additional Fifteen (15) Days for Solo Mothers, and for Other Purpose.
- cc. R.A. 11313 Safe Spaces Act Law - An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefore.

c. International Laws

- a. United Nations Convention on the Elimination of All Forms of Discrimination Against Women (UNCEDAW).
- b. Beijing Platform for Action (BPfA).
- c. Millennium Development Goals.
- d. International Convention on Economic, Social and Cultural Rights (ICESCR).
- e. International Covenant on Civil and Political Rights (ICCPR).
- f. Universal Declaration of Human Rights.

SEC. 3. Declaration of Policies, Principles and Strategies. – It shall be the policy of the City Government to ensure both women/girls, Men/boys and other genders 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 R.A. 7192. 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 freedom 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 and other genders in the society 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 of 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 Development policies, design and integrate specific gender support system, take into Consideration women's and girls' 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 local government, nongovernment organizations (NGOs), and people's organizations (POs), and the private/business sector in all phases of the Development program cycle.

The City of Manila is committed to pursue the attainment of our objectives and enforcement of:

1. All City government department, 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 R.A. 7192, of the Women in the Development and Nation-Building Act.
2. All City Government project proposal shall ensure the inclusion of gender responsive indicators and guidelines while not be negligent in identifying the root cause of women's oppression, pursuant to the United Nations Declaration 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, and shall complete the same within two years.

SEC. 4. Definition of Terms. –

- a. Gender – is a 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.
- b. Development – is 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.
- c. Discrimination Against Women – refers to any distinction, exclusion or restriction made on the basis of sex that has a purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights, irrespective of their civil status on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

- d. **Commodification of Women** – is 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 object 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.
- e. **Gender and Development Mainstreaming** – refers to the process of integrating the GAD framework in the local policy formulation, program and project development and implementation for the City's constituents. It also focuses on developing institutional mechanism and strategies to address specific gender issues or concerns.
- f. **Gender and Development Budget** – Refers to the allocation of funds for the implementation of gender and development programs and projects. As stated in the law it shall be at least five percent (5%) of the agency's total budget appropriation to manifest concrete support to deepen and further the integration of gender in all aspects of development.
- g. **GAD Focal Point** – refers to the designated person per team in a particular department, office, barangay, local special body or any local governing unit who acts as a lead in the GAD mainstreaming within their respective offices.
- h. **Violence Against Women and Their Children** – refers to an act or a series of acts committed by any persons against women who is or had sexual or dating relationship, or with whom he has a common child, or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering or economic abuse including threats of such acts, battery assault, coercion, harassment or arbitrary deprivation of liberty. (Anti-Violence Against Women and their Children Act of 2004 (VAWC) R.A. 9262 definition).
- i. **Non-Government Organizations (NGO's)** – refer to organizations or group of women, men or mixed groups with track record in women and/or gender programs and projects, and hold offices and/or serve constituents in City of Manila.
- j. **People's Organizations (PO's)** – refer to grassroots organizations of women/men, or mixed groups with track record program planning and development which have direct or indirect services for women, and hold offices and have regular constituency in City of Manila.

**ARTICLE II
DEVELOPMENTAL AREAS AND GAD INTERVENTIONS**

SEC. 5. Protection of Women and all other Genders Against Violence. –

SEC. 5.1. Violence Against Women. – Any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering of women, including threats of such act. Coercion, or arbitrary deprivation of liberty, whether occurring in Public or Private as defined in the UN Declaration on the Elimination of Violence Against Women.

Violence Against Women shall include but 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 and elsewhere, trafficking in women, and forced prostitution.
- c. Forced sterilization and forced abortion, social stigmatization, coercive/forced use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examination without expressed approval of the concerned person.
- d. To buy and sell a women or any of their body parts for profit.
- e. Sexual harassment and assault of women in detention.

SEC. 5.2. Sexual Abuse. – Sexual Abuse shall include but not limited to the following:

- a. When a man inserts or attempts to insert his penis into the mouth, genital or anus of woman under any of the following: 1) Through force, threat or intimidation; 2) By means of abuse of authority or relationship; 3) When the offended is deprived of reason or is otherwise unconscious; and 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 parts 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 circumstance 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 R.A. 8353 or the Anti-Rape Law of 1997, 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, cousin to the 4th degree.

SEC. 5.3. Partner/Wife Abuse and Battering. – 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:

- a. Physical abuse and Battering – this includes any form of inflicting wounds, pains, 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 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 to take them to 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 establish structures of domination such as controlling over women's hard-earned money and use them for his vices, etc.

SEC. 5.4. Trafficking in Women. – A covert or covert recruitment of women into the sex Trade Industry. It includes new forms of sexual exploitation such as sex tourism, the illegal recruitment for domestic labor to work in developed countries, and organized marriages between women from third world countries and foreign nationals, promoting or initiating a system in which women become movable properties and objects of exchange.

Trafficking in women shall include the following but not limited to any person or association, cult, religion, or organization on 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 distribute 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 on cyberspace or any form which facilitates the act of solicitation;
- d. Use of postal device, cyberspace, or satellite TV to promote the abovementioned prohibited acts;
- e. To buy or sell a woman, or any part of her body parts for profit, or to use her body parts by any pretext; to be used for experiments, research or the like without her consent;
- f. Act as procurer of a prostituted woman;
- g. Threaten or use violence and force a woman to become mail-order bride;
- h. Lease or sublease, use or allow to be used any house, building or establishment for the purpose of trafficking persons; and
- i. Organize, produce or distribute pornographic materials that promote traffic in person.

SEC. 5.5. Mail-Order Bride. – 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 woman in guise of marriage.

SEC. 5.6. Sexual Harassment. – 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. Sexual harassment shall be unlawful in the employment, education or training environment, public place as prohibited in R.A. 7877 and even online as prescribed in R.A. 11313.

SEC. 5.7. Other Forms of Sexual Harassment. – Other than the definition provided by R.A. 7877, the following constitute sexual harassment some of which are covered by the Revised Penal Code under Acts of Lasciviousness.

- a. Persistent telling of offensive jokes such as green jokes or 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 publication in a workplace;
- c. Interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant or any lawful activity applied for;
- d. Making offensive hand gesture at someone;
- e. Repeatedly asking for dates despite verbal rejection;

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- 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 words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman such as "puta", "peste", "pokpok";
- j. Any other unnecessary acts during physical examinations;
- k. Requiring women to wear suggestive or provocative attire during interviews such as job hiring promotion, admission; and
- l. Any expression of gender bias against a person with the intention to embarrass, humiliate, stigmatize.

SEC. 5.8. Gender-Based Online Sexual Harassment. – Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, or filing, false abuse reports to online platforms to silence victims according to R.A. 11313, Safe Spaces Act Law.

SEC. 5.9. Pedophilia. – It is a form of sexual perversion where children are preferred victims for intercourse. It shall include the following acts but not be limited to the following:

- a. When the offender shall have sexual intercourse with a boy or girl or child;
- b. When the offender shall have anal intercourse with a boy or girl of child;
- c. When the offender does other sexual acts such as fondling, kissing the private parts of a girl or boy or child or taking photographs/video of the same for pornography; and
- d. When the offender shall have the possession of pornographic photographs/videos of the same.

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SEC. 5.10. Commercial Exploitation of Women/Men and Girl/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; and
- 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.

SEC. 5.11. Non-discrimination of gays, lesbians, bisexuals, and trans-genders. – It shall be regarded a violation of human rights to discriminate against any person on the basis of her/his sexual preference or orientation for employment, participation in city development programs and projects, and/or other family or community activities. Every person's right to her/his sexual preference shall be respected and protected:

SEC. 5.12. Comprehensive Support to Women-survivors of Violence. – The City Government shall provide comprehensive support to women-survivor of violence which consist of but not limited to the following:

- a. Immediately conduct an investigation within 24 hours;
- b. Provide for free counseling and medical services for the offended party;
- 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 examinations 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, prosecutions offices and the trial courts shall recognize the survivor's social support group as expressly allowed or requested by the offended party;

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- h. A temporary shelter with appropriate support services for women in crisis shall be approximately constructed under the management and supervision of the City Social Services and Development Department; and
- i. Free legal Services to women and victim-survivors.

SEC. 5.13. Psychological Programs. – It is an intervention using interrogation and holistic approach to conditions of women considering their differentiated needs with a social context.

SEC. 5.14. Survivor's Support Group. – It is an organized group of women to whom a woman-survivor of violence voluntarily agrees to go through a collective helping process.

Support Services for Women in the Entertainment Industry – Women in the entertainment industry are those women employed in establishments identified as places of amusements defined in the Local Tax Code of City of Manila under City Ordinance No. 8331 which was approved on December 3, 2013 and shall include, but not limited to, night clubs, cocktail lounges, super or family clubs, karaoke and video bars, beer houses/gardens, fast food centers, resorts which shows TV/cable programs, films, movies, sports shows either by direct hook-up or via satellite and other places of amusement where one seeks admission to entertain himself. The City government shall provide socioeconomic support services for women in the entertainment industry in order to respond to their practical needs.

SEC. 5.15. Regular Medical Routine Check-up. – Women in the entertainment industry shall be required undergo medical routine check-up and be prescribed medicines if needed.

SEC. 5.16. The Creation of Local Committee on Anti-Trafficking and VAWC (LCAT-VAWC). – a mechanism established to coordinate and monitor the implementation of Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003) and Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004). Through the issuance of Joint Memorandum Circular No. 2010-1 dated 18 October 2010 by the Department of Interior and Local Government (DILG), Department of Justice (DOJ), and Department of Social Welfare and Development (DSWD), the creation of LCAT-VAWCs strengthened local structures to collaboratively address the problems of trafficking and VAWC. The LCAT-VAWC Committee functions as to Institute policies and programs to protect women and children who are victims of trafficking-in-persons (TIP) and violence against women and their children (VAWC). The city government shall create and establish systems on surveillance, investigation, and rescue to ensure effective and efficient coordination. It shall undertake information, education, and advocacy campaign against TIP and VAWC. The LCAT-VAWC Committee is headed by the Manila Social Work Department closely collaborating with the DILG Manila and the Manila Police District.

SEC. 6. Women in Governance. –

SEC.6.1. Women's Participation and Representation in the Barangay and City Development Council. – Both the City and Barangay Council Shall ensure that at least one-third (1/3) of its members 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 accomplishment 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.

SEC. 6.2. Promoting Gender Balance at all Levels of Manila City Local Government Positions. – The City Government shall promote gender balance or equal proportion of qualified women and men for opportunity to ensure key positions at all of local government, whether elective or appointive. This should form part of the City Government's effort 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).

SEC. 6.3. 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 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 (5%) percent GAD Budget as institutionalized and mandated by law.

SEC. 6.4. 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 City of Manila 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 initiative to promote the status of women in the City of Manila. A committee for this activity should be convened and spearheaded by the City GAD Council. Half-day leave with pay may be availed by any women employee on March 8. In recognition of women's contributions to society, commercial establishment shall be encouraged to give a twenty percent (20%) discount for women in March 8. Implementation guidelines shall be provided in this code's Implementing Rules and Regulations.

SEC. 6.5. Day of Action for Breast Cancer Awareness. – 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.

SEC. 6.6. Girl child Week. – The City Government shall set the first 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 School and the Social services and Development Department.

SEC. 6.7. 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 GADRCO and the City Health Department to promote women's health and well-being.

SEC. 6.8. 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 Services and Development Department, The Department of Health, Barangay Operations Center, and the City GAD Council.

SEC. 6.9. City of Manila Gender and Development Summit. – The City Government shall set a day every week of June 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 the City of Manila; 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 council.

SEC. 6.10. 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.

SEC. 6.11. International Pride Month Celebration. – The City of Manila joins the international community to kick-off the Pride Month on June 1. Pride Month has been observed to celebrate LGBTQIA. This day has been earmarked to celebrate the beauty of freedom to express who you love and how you express your gender. It's the celebration of dignity and joy of Lesbians Gay's Bisexual people. 'Pride' is a term that directly counters to the feeling of shame and guilt forced on the LGBTQIA people. This term signifies them to be strong and they can celebrate and show their identity and be proud like the rest of the world.

SEC. 7. Labor and Employment. –

SEC. 7.1. Wage and Benefits for Women. – Every employer shall comply with the minimum wage as stimulated by pertinent legislation passed by Congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, and other benefits provided by law. The same provisions shall apply to benefits covered by Collective Bargaining Agreement (CBA) between the concerned employees union and management. Provided, further that any additional leave period shall be used for breast feeding for the new-born baby by the concerned employee

SEC. 7.2. Increase Maternity Leave Benefits as Incentives for Breastfeeding Mothers in the Private Sector. – Additional maternity leave benefits up to one hundred five (105) days from sixty-five (65) days as mandated by law under R.A. 11210 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.

SEC. 7.3. Increase Paternity Leave Benefits as Incentives 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 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 concern employees union and management. Provided, further, that any additional leave period shall be used for caring of the new-born baby by the concerned employee.

SEC. 7.4. 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 (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concern employees union and management. Provided, further, that this benefit shall be taken one day each month for menstrual or menopausal leave.

SEC. 7.5. Orientation on Sexual Harassment. – All government agencies and private offices, commercial/industrial establishment located in the City shall conduct regular orientation on sexual harassment for their respective employees, Certificate of Compliance shall be submitted to the City Gender and Development Resource and Coordinating Office. 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. 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.

SEC. 7.6. Setting up Grievance Machinery. – A grievance committee shall be set-up in all government and private offices, commercial/industrial establishment 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.

SEC. 7.7. Equal Access to Job Training and Promotions. – No women shall be deprived of job training and promotion on account of her gender, age, ethnicity, creed, religion and civil status.

SEC. 7.8. Facilities and Support System for Women. – The City government shall ensure occupational safety and health of women employees in both government and private offices and commercial/industrial establishment, 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. Establish separate toilet rooms, lavatories and lounge for men and women and provide at least a dressing feeding rooms for women.
- c. Provide a breast-feeding corner for women in the workplace.

SEC. 7.9. Household-based Workers on 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 Relation Office, Community Relations Office, Social Services and Development Department.

SEC. 7.10. Barangay-Based House-help Support. – All barangays in City of Manila shall conduct compulsory education for both 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 provisions.

SEC. 7.11. Monitoring System for Labor Standards. – A mechanism shall be installed by the City GAD Council to monitor all offices, agencies and establishments of companies violating Labor Code provisions and provisions of this Ordinance, prepare regular reports to concerned departments and recommend appropriate actions.

SEC. 7.12. 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 the City of Manila. No hospital in the city shall deny women and men living below poverty line to reproductive health services. A certificate of indigency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socio economic status of the patients 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. The City government must strengthen the reproductive health program thru Manila Lying-in Clinics under the direct supervision of the Manila Health Department.

SEC. 8. Education. –

SEC. 8.1. Conduct of Regular Gender Sensitivity for All Teachers at All School Levels. – The Division of City Schools in coordination with the City of Manila GAD Council shall conduct and incorporate gender sensitivity orientation in teachers' orientation seminars and Parents-Teachers Association (PTA's) meetings conducted before classes start at the beginning of the school year

SEC. 8.2. Promotion of Gender-Sensitive Curriculum. – All public and private schools in the City of Manila shall actively promote gender sensitivity in their subject/course curriculum and gender-fair socialization for school pupils. The Division of City School shall also ensure that city school officials and private sector professional school counseling and career education program are gender responsive.

SEC. 8.3. Promoting Gender-Sensitive Education Program and Services. – All schools, Offices, establishments or companies, departments and agencies including barangay official of the Local Government shall initiate gender sensitivity orientation and training which shall equip them with theoretical and practical knowledge on gender justice.

SEC. 8.4. Gender-Responsive Non-Formal Education for Youth and Adults. – The Division of City School in coordination with City of Manila Technical Education Services Development Authority (TESDA) shall conduct non-formal classes for women and men desiring to engage themselves in functional and practical education, to be held in barangay high schools or barangay multi-purpose centers.

Sec. 9. Socio-Economic Rights. –

SEC. 9.1. Gender. – Responsive and Comprehensive Livelihood Program. – The City government should allocate funds for socioeconomic programs for poor women and men that include gender-responsive livelihood skills and values training seminars. The Comprehensive Livelihood program shall include feasibility study, financing, monitoring, sustainable paying scheme and incentives.

SEC. 9.2. 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 the cooperatives.

SEC. 9.3. 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.

SEC. 9.4. Low-Cost Basic Services. – The City Government shall facilitate access of women and men to safe water, electricity, communication, transportation and basic commodities.

SEC. 9.5. Gender-Responsive and Child-Friendly Child-Minding Center 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 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; the boys and girls in the centers are able to learn to respect the rights of all children to the full enjoyment of their childhood at their rights.

SEC. 9.6. Shared Parenting and Responsibilities. – The city government shall advocate that all fathers and mothers have both the moral obligations and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex and physiological and physiological conditions.

SEC. 9.7. Creation of Women Crisis Center. – The City government shall create Women Crisis Center in the key districts of Manila under the supervision of Manila Department of Social Work. This center will provide services to gender-based violence victims, prostituted women and other genders victim of abuse. A 24hrs hotline for VAWC victims will be created that will be working closely with the Manila Police District Women's Desk. This will also serve as a temporary shelter for the VAWC victims in their respective districts.

SEC. 10. Health Care. –

SEC. 10.1. Right to Health. – Article 12 of the UN International Covenant of 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 and services to focus more on pregnancy and birth-related causes rather than on more holistic approach, the City government shall respect and promote a right 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 couple's shared responsibilities for childbirth and childcare.

SEC. 10.2. 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 function and processes, i.e., people are able to have a satisfying and 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 integrates many issues not previously considered central population, sexuality reproductive tract infections, gender power relations and domestic violence and shall not be limited to family planning and child bearing or safe motherhood.

SEC. 10.3. 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 the City of Manila.

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 rapid appraisal of the socio-economic status of the patient for admission purposes.

SEC. 10.4. 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 very minimal cost.

Provision of accurate and appropriate information of these matters and corresponding services shall be made available.

SEC. 10.5. 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 the tertiary level, and shall provide service training to all health and other allied personnel who shall be assigned in this unit.

SEC. 10.6. Gender Fair Approach to Pre-Marital Counselling Program. – The City Health Department and the Social Services Development Department shall ensure gender-sensitive conduct required in the application for marriage licenses with the City Civil Registry.

SEC. 10.7. Mainstreaming Reproductive Health Framework through Primary Health Care Strategy. – In consonance with the City Health Department's policies, Children's Youth and 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.

SEC. 10.8. Upgrading Local Hospitals and Facilities. – The City Government shall, upon its determination of the necessity based on well-supported data provided by the Health Department, endeavor to establish or upgrade local public hospitals and facilities with adequate and qualified personnel, equipment and supplies, including provisions for emergency obstetric and newborn care.

SEC. 11. Culture and Mass Media. –

SEC. 11.1. Gender Sensitive Portrayals in Media. – The City government shall oblige 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 and materials and broadcast programs.

SEC. 11.2. 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.

SEC. 11.3. Regulations of Internet Cafes and Computer Shop. – The City government shall regulate the operation of internet services-providing establishment, entertainment computer shops in order to curb and prevent the proliferation of access of cyber-sex pornography for minors.

SEC. 11.4. Regulation of Media Coverage During Police Raids on Entertainment Establishments. – The City government shall regulate the media coverage of entertainment establishments' raid operations for the prevention of exploitation of women and men entertainers and their unnecessary body public exposure and humiliations.

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SEC. 11.5. Yearly City Award for the Most Gender-Responsive Film at the Metro Manila Film Festival. – The City government shall form a special committee of jurors to select the Most Gender-responsive film at the Metro Manila Film Festival held on the last week of December yearly. The City government shall give a special trophy and corresponding cash prize for the winning film.

SEC. 12. Women with special concerns. –

SEC.12.1. Differently-abled Women Defined. – Differently-abled women are those who experience one or a combination of physical impairment with distinct needs and potentials.

SEC.12.2. Advocacy on Differently-Abled Women’s Rights and Support Mechanism for Education and Employment. – The City government shall initiate active advocacy on the rights of differently-abled women; establish special education school/ 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 potentials as human persons.

The City government, through the City Engineer’s Office shall ensure that all educational and commercial buildings are provided with ramps and toilet facilities for differently abled persons.

The City government shall implement R.A. 7277 or the Magna Carta for Disabled persons that reserves five (5%) percent of contractual or emergency positions for persons with disabilities.

SEC. 12.3. 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.

SEC. 12.4. 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 social economic activities.

SEC. 12.5. Support to Women in Detention. – The rights of all women detainees shall be protected by ensuring them of a) a speedy trial of their respective cases; b) appropriate program to respond to their specific needs and problems as detainees; c) separate physical structure and space provisions for detention and rehabilitation; and d) provision of legal services.

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ARTICLE III
IMPLEMENTATION, MONITORING, AND EVALUATION MECHANISMS

SEC. 13. Creation of the City of Manila Gender and Development Focal Point System (GFPS). –

SEC. 13.1. The City of Manila shall establish GAD Focal Point System (GFPS) to accelerate gender mainstreaming

SEC. 13.2. Composition. – The City of Manila GFPS shall have an Executive Committee (Execom), a Technical Working Group (TWG) and a Secretariat.

A. EXECUTIVE COMMITTEE

Chairperson	- City Mayor
Alternate Chairman	- City Administrator
Vice-Chairman	- OIC, City Planning Development Office
Members	- Chairperson, Committee on Women Committee on Appropriations President, Liga ng Barangay President, SK Federation Representative, PNP Women's Desk Representative, PWD's Representative, Women's Group Representative, Private Sector Representative, Academe Other Accredited NGOs that may be designated by the City Mayor Head, City Budget Office Head, Office of the City Accountant Head, City General Service Office Head, Manila Barangay Bureau Head, Market Administrative Office Head, Urban Settlements Office Head, City Personnel Office Head, Department of Tourism & Cultural Affairs Head, Department of Social Welfare and Development City Legal Officer City Sheriff Head, Office of the City Prosecutor Head, Manila Health Department Head, Ospital ng Maynila Medical Center Head, Ospital ng Sampaloc Head, Ospital ng Tondo Head, Gat Andres Bonifacio Memorial Medical City Head, Sta. Ana Hospital Head, Justice Jose Abad Santos General Hospital Head, Veterinary Inspection Board Head, Department of Engineering & Public Works & Highways Head, Department of Public Services Head, Public Recreation Bureau

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Head, Parks Development Office
Head, Youth Development & Welfare
Bureau
Head, City Treasurer's Office
Head, Bureau of Permits
Head, Department of Assessment
Head, Manila Traffic and Parking Bureau
Head, City Civil Registry Office
Head, Local Board of Tax Assessment
Appeals
Head, Manila City Library
Head, Division of City Schools
Head, Pamantasan ng Lungsod ng
Maynila
Head, Unibersidad de Manila
Head, Manila Disaster Risk Reduction &
Management Office
Head, Manila Sports Council
Head, Office of the Senior Citizens
Affairs
Head, Public Employment Service Office

B. TECHNICAL WORKING GROUP – The GFPS Technical Working Group shall be chaired by the Alternate Chairman of the GFPS Executive Committee with the following group members:

1. Representative, City Planning and Development Office
2. Chairperson of Sanggunian Committee on Women, Children and Family
3. Chairperson of Sanggunian Committee on Appropriations
4. Representative of the President, Liga ng mga Barangay
5. Representative of the President, SK Federation
6. Representative, PNP Women's Desk
7. Representative, PWD's
8. Representative, Women's Group
9. Representative, Private Sector
10. Representative, Academe
11. Other accredited NGO's that may be designated by the City Mayor
12. Representative, City Budget Office
13. Representative, Office of the City Accountant
14. Representative, City General Service Office
15. Representative, Manila Barangay Bureau
16. Representative, Market Administrative Office
17. Representative, Urban Settlements Office
18. Representative, City Personnel Office
19. Representative, Manila Tourism and Cultural Affairs Bureau
20. Representative, Manila Department of Social Welfare
21. Representative, Office of the City Legal Officer
22. Representative, Office of the City Sheriff
23. Representative, Office of the City Prosecutor
24. Representative, Manila Health Department
25. Representative, Ospital ng Maynila Medical Center
26. Representative, Ospital ng Sampaloc
27. Representative, Ospital ng Tondo
28. Representative, Gat Andres Bonifacio Memorial Medical Center
29. Representative, Sta. Ana Hospital
30. Representative, Justice Jose Abad Santos General Hospital

31. Representative, Veterinary Inspection Board
32. Representative, Department of Engineering and Public Works
33. Representative, Department of Public Services
34. Representative, Public Recreation Bureau
35. Representative, Parks Development Office
36. Representative, Youth Development and Welfare Bureau
37. Representative, City Treasurer's Office
38. Representative, Bureau of Permits
39. Representative, Department of Assessment
40. Representative, Manila Traffic and Parking Bureau
41. Representative, Pamantasan ng Lungsod ng Maynila
42. Representative, Local Board of Tax Assessment Appeals
43. Representative, Manila City Library
44. Representative, Division of City Schools
45. Representative, Pamantasan ng Lungsod ng Maynila
46. Representative, Universidad de Manila
47. Representative, Manila Disaster Risk Reduction and Management Office
48. Representative, Manila Sports Council
49. Representative, Office of the Senior Citizen Affairs
50. Representative, Public Employment Service Office

C. SECRETARIAT – The City Planning and Development Office staff shall serve as Secretariat of the GFPS Executive Committee and Technical Working Group.

SEC. 14. Functions, Duties and Responsibilities. –

SEC. 14.1. General Functions of the LGU GFPS. – Pursuant to Magna Carta of Women, IRR, the GFPS is tasked to ensure and sustain the LGU's critical consciousness in supporting gender and development, women's empowerment and responding to gender issues. It shall take a lead role in direction-setting, advocacy, planning, monitoring and evaluation and technical advisory in mainstreaming GAD perspectives in the LGU programs, projects, activities and processes. Specifically, the GFPS shall perform the following functions:

1. Lead in mainstreaming GAD perspective in LGU policies, plans, and programs. In the process, they shall ensure the assessment of the gender-responsiveness of systems, structure, policies, programs, processes and procedures of the LGU based on the priority needs and concerns of constituents and employees, and the formulation of recommendation including their implementation;
2. Assist in the formulation of new policies such as the GAD Code in advancing women's empowerment and gender equality;
3. Lead in setting up appropriate systems and mechanisms to ensure the generation, processing, review and updating of sex-disaggregated data or GAD database to serve as basis in performance-based and gender-responsive planning and budgeting;
4. Coordinate efforts of different division/offices/units of the LGU and advocate for the integration of GAD perspectives in all their systems and processes;

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5. Spearhead the preparation of the annual performance-based LGU GAD Plan and Budget (GPB) in response to the gender issues and/or concerns of their locality and in the context of the LGU mandate; and consolidate the same following the form and procedures prescribed in JMC No. 2013-01. The GFPS shall likewise be responsible for submitting the consolidated GPB's of the LGU;
6. Lead in monitoring the effective implementation of the annual GPB, GAD Code and other GAD-related policies and plans;
7. Lead the preparation of the annual LGU GAD Accomplishment Report (GAD AR) and other GAD report that may be required under the MCW and the JMC;
8. Strengthen linkage with other LGUs, concerned agencies or organizations working on women's rights and gender and development to harmonize and synchronize GAD efforts at various level of local governance;
9. Promote and actively pursue the participation of women and gender advocates, other civil society groups and private organizations in the various stages of development planning cycle, giving attention to the marginalized sectors; and
10. Ensure that all personnel of the LGU including the planning and finance officers (e.g. accountant, budget officers, auditors) are capacitated on GAD. Along this line, the GFPS will recommend and plan an appropriate capacity development programs on GAD for its employees as part of and implemented under its regular human resource development program.

SEC. 14.2. The Local Chief Executive (LCE) shall:

1. 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 GFPS; and
2. Ensure the implementation of the GPB and approved GAD AR and other GAD-related reports of the LGU as maybe required by the MCW-IRR and the JMC duly endorsed by the GFPS Executive Committee and with the assistance of the GFPS-TWG.

SEC. 14.3. The GFPS Executive Committee shall:

1. Provide policy advice to the LCE to support and strengthen the GFPS and the LGU's gender mainstreaming efforts;
2. Direct the identification of GAD strategies, 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;
3. Ensure the timely submission of the LGU GPB, GAR AR, and other GAD related reports to the DILG which shall be consolidated for submission to PCW and appropriate oversight agencies;
4. Ensure the effective and efficient implementation of the GAD PPAs and the judicious utilization of the GAD budget;

5. Build and strengthen the partnership of the LGU with the concerned stakeholders such as women's groups or CSOs, national government agencies, GAD experts and advocates, among others in pursuit of gender mainstreaming; and
6. Recommend awards and/or incentives to recognize outstanding GAD PPAs or individuals who have made exemplary contributions to GAD.

SEC. 14.4. The Technical Working Group (TWG) shall.

1. Facilitate the gender mainstreaming efforts of the LGU through the GAD planning and budgeting process;
2. Formulate the LGU GPB in response to the gender gaps and issues faced by their constituents including their women and men employees;
3. Assist 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 within the Human Resource Development Office (HRDO) on the development and implementation of the capacity development program on GAD 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 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 the implementation;
7. Prepare and consolidate the LGU GAD AR and other GAD-related reports; and
8. Provide regular updates and recommendation to the LCE or GFPS Execom 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.

SEC. 14.5. The GFPS Secretariat. – The GFPS Secretariat shall assist the GFPS Execom and the TWG in the performance of their roles and responsibilities, specifically on the provision of administrative and logistical services, preparation of meeting agenda; and documentation of GFPS's meetings and related GAD activities.

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SEC. 15. Establishment and Maintenance of GAD Database. –

SEC. 15.1. The City of Manila, through the City Planning and Development Office (CPDO), shall spearhead the setting up and maintenance of the GAD database to serve as basis for gender-responsive planning, programming and policy formulation. The GAD database, which can either be manually operated or developed through software, shall form part of the overall management information system (MIS) of the City.

SEC. 15.2. Sex-disaggregated data and GAD-related information may be derived and/or sourced from the Local Philippine Statistics Authority (PSA), academe, CSOs as well as from studies, surveys and administrative reports of the local offices of NGAs such as, but not limited to the following: The Department of Agriculture (DA), Department of Environment and Natural Resources (DENR), Department of Agrarian Reform (DAR); Department of Labor and Employment (DOLE), Department of Trade and Industry (DTI).

The sex-disaggregated data and results of the Community-Based Monitoring System (CBMS), the National Housing Targeting System for Poverty Reduction (NHTS-PR) and Local Governance Management System (LGPMS) may form part of the GAD database.

The Records of Barangay Inhabitants (RBIs) may also serve as source of data for GAD database.

SEC. 15.3. The LGU GFPS or its TWG shall provide technical assistance to the CPDO in ensuring that the GAD Database is operational.

SEC. 15.4. The city and the barangays shall be capacitated to develop and/or enhance their GAD databases. Barangay GFPS shall gather and process sex-disaggregated data and GAD-related information for submission to the city. The city shall consolidate the same for data processing, data analysis, and data updating and maintenance of the GAD databases.

SEC. 16. GAD Budget. – The city shall allocate at least five percent (5%) of the total Annual Budget for Gender and Development. The GAD Budget, which is the cost of implementing the GAD plan, shall form part of and is not in addition to the LGU's Annual Budget.

SEC. 17. Meetings. – The GFPS Execom shall meet twice a year before the conduct of the City Development Council Convention. The GFPS TWG shall meet quarterly or as often as may be necessary.

SEC. 18. Monitoring and Evaluating the Implementation of the Magna Carta of Women. –

SEC. 18.1. A GAD Monitoring and Evaluation (M&E) Team for the City of Manila shall be established, enhanced, strengthened and/or maintain a gender responsive monitoring and evaluation system.

The GAD M & E Team shall be composed of the following:

1. GFPS TWG Chairperson
2. City Planning and Development Officer
3. Human Resource and Development Officer
4. City Budget Officer

5. DILG City Director
6. Representative/s of the City Mayor
7. Representative from Women Organization and academe.

SEC. 18.2. The GAD M & E Team shall invite the concerned implementing office or unit of the GAD PPAs during the monitoring and evaluation period.

SEC. 18.3. The City GFPS shall monitor the implementation of the annual GPB and assess the status of the LGU's institutional mechanisms on gender mainstreaming annually.

SEC. 18.4. The City through GFPS, shall prepare annual status reports on the institutional mechanisms for gender mainstreaming and submit these to the DILG Regional Office for consolidation

SEC. 18.5. The barangay shall submit their annual GAD ARs formulated based on the GPB to the city, and the city shall submit GAD AR to the DILG – Manila Field Office for submission to the DILG Regional Office, not later than end of January of the ensuing year for review and consolidation.

SEC. 19. Penal Provisions. –

SEC. 19.1. Soliciting Sexual Services. – It is unlawful for a person to solicit a woman's service for sexual purpose as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such form such act without prejudice to the provisions of the Revised Penal Code and R.A. 9208 or the Anti-Trafficking in Persons Act. Any person may file complaint together with the affected women to the proper court. Violators of the Code suffer the penalty in accordance with R.A. 9208.

SEC. 19.2. Trafficking in Women and Children. – Any Person or agency, who with the use of force or deceits, lures a woman or boy/girl child to work abroad or in other provinces or cities in the Philippines for a particular job on a promise of high fees, but instead landed on prostitute, domestic help or other odd jobs. Violators of this provision shall be penalized in accordance with the penal provisions under R.A. 9208 or the Anti-Trafficking in Person Act. R.A. 7610 or the Law on Protection Against Child Abuse, R.A. 7877 or the Ant-Sexual Harassment Law, R.A. 8353 or the Anti-Rape Law, and the Revised Penal Code.

SEC. 19.3. Prostitution Sex Trade. – An agency or person who 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. 8505, R.A. 9208, R.A. 7877, and R.A. 8353.

SEC. 19.4. Sex Tours. – No hotels, beach resort, sauna bath and related establishments shall be allowed to operate as conduit for sex tours. Cancellation of business permit, a fine of Five Thousand Pesos (PhP. 5,000.00) and imprisonment of one year shall constitute the penalty for violation.

SEC. 19.5. Beauty Contests. – Beauty Contests which tends to commodify, abuse, humiliate and treat other persons especially women and homosexual as sex objects shall strictly be prohibited in schools, communities, barangays and the City Government in its special celebrations, but in their stead the projection of women's strength and potentials, especially with regard to indigenous and culturally relevant forms shall be encourage. Those who initiate the conceptualization and implementation of the beauty contest shall be subjected to a penalty consisting of the following

For business entities

- a.) Cancellation of business permit.
- b.) Fine of Five Thousand Pesos (PhP 5,000.00)
- c.) Others, as prescribe in the Implementing Rules and Regulations of this Code.

For representatives of agencies, department or units of the local government of the City of Manila:

- a) Suspension for one month without pay.
- b) Fine of Five Thousand Pesos (PhP 5,000.00)
- c) Others, as prescribe in the Implementing Rules and Regulations of this Code.

For educational institutions, charity or welfare organizations:

- a) Cancellation of license to operate.
- b) Fine of Five Thousand Pesos (PhP 5,000.00).
- c) Others, as prescribe in the Implementing Rules and Regulations of this Code.

SEC. 19.6. Fund-Raising Initiative. – It refers to any activity 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 the City of Manila. Violators of this provision shall pay a fine of Five Thousand Pesos (PhP. 5,000.00) or imprisonment of six (6) months or both at the discretion of the court.

SEC. 19.7. Woman 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 quarter for purposes of comport and may not be deprived of basic social service in detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP ands or at the discretion of the local Police Law Enforcement Board.

SEC. 19.8. Forced Marriage. – No woman shall be forced to marry on the basis of vitiated content. Any person or representative committing fraudulent or coercive act to cause and effect a forced marriage shall be liable under this Code by a fine of Five Thousand Pesos (PhP. 5,000.00) or an imprisonment of one year, or both, at the discretion of the court.

SEC. 19.9. Regular Surveillance 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; and
- 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 gesture; 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 explicit 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 subjected to administrative sanction.

SEC. 19.10. Violence Against Women. – Any Violator of this Code as defined in Section 4 of this Code shall be penalized in accordance with the provisions of the Revised Penal Code.

SEC. 19.11. Pedophilia. – Any Act falling under the definition of pedophilia shall constitute a violation of this Code. Any Violator of this provision shall be penalized in accordance with the Revised Penal Code.

SEC. 19.12. 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 (PhP. 5,000.00) and temporary cancellation of business permit for the first offense, 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 (3) months suspension and a fine of One Thousand Pesos (PhP. 1,000.00).

SEC. 19.13. Wage and Benefits for Women. – Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or passed by the Congress and shall grant all benefits to all women employees such as maternity leave, sick and vacation leave, retirement, termination and other benefits provided by law. Violations by private employers shall constitute a Five Thousand Pesos (PhP. 5,000.00) and a cancellation of business permit or as prescribed by the Court in accordance with penal provisions under the Labor Code. A City Government unit or agency head of office which violates this Code shall be liable with the penalty of three (3) months suspension and a fine of One Thousand Pesos (PhP. 1,000.00).

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SEC. 19.14. Facilities and Support system 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 proper 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 provide at least a dressing room for women; and
- c. Provide breast feeding corners for women in the workplaces. Violation by private employers shall constitute a fine of Five Thousand Pesos (PhP. 5,000.00) and cancellation of business permit or as prescribed by Court, Government units or agency head of office is liable with the penalty of three (3) months suspension and a fine of One Thousand Pesos (PhP. 1,000.00).

SEC. 19.15. Increased Maternity Leave Benefits as incentives for Breastfeeding Mothers in the Public and Private Sector. – Maternity leave benefits of one hundred five (105) days shall be extended accordingly to all women employees (public and private) who have rendered at least one (1) year continuous service. Any employer who violates this provision shall pay a fine of Five Thousand Pesos (PhP. 5,000.00) 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.

SEC. 19.16. Barangay Education on Gender Sensitivity. – All barangay in the City of Manila shall conduct compulsory training and education for both BSDO's, 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 provisions.

SEC. 19.17. Women in the Entertainment Industry. – Women engaged in the entertainment industry 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. Violation of this provisions shall be subjected to a fine of Five Thousand Pesos (PhP. 5,000.00) or cancellation of business permit, or both at the discretion of the Court.

SEC. 19.18. Police Operations in Entertainment Establishment. – All police operations or raids conducted in any entertainment establishment must be undertaken with utmost respect for human rights. Police Officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. The City shall also regulate the media coverage of raiding activities. Violation of this provision shall be subjected to an administrative sanction/action.

SEC. 19.19. Orientation on Sexual Harassment. – all government and commercial and private office, 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 City Gender and Development Resource and Coordinating Office. Establishment which fail to comply with this provision shall pay a fine of not less than Three Thousand Pesos (PhP. 3,000.00) immediately or at the discretion of the Court.

SEC. 19.20. Socialized Reproductive Health Services for all Hospitals. – No hospitals in the City of Manila shall deny a woman living below the poverty line of reproductive health services. Certificate of Indigency shall be issued by the Barangay captain. In case of emergency, a social worker or any authorized personnel shall be designated to conduct a rapid appraisal of the socioeconomic status of the patients for admission purposed. Noncompliance of the Administrator of this provision shall be penalized in accordance with penal provisions under R.A. 8344.

SEC. 20. Power and Functions of the City GAD Focal Point System. – As the City Government's GAD Focal Point, it 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 the City GAD Code. To achieve these, it shall perform the following powers and duties:

- a. Formulate and submit comprehensive medium terms (Three years) and annual integrated GAD plans responsive to the needs and situation of women constituents that incorporate policies, programs, activities (PPA's) that will uplift their conditions;
- b. Monitor and evaluate the implementation of local gender and development policies, program and activities through the conduct of regular review and evaluation of existing legislation, policies and programs measuring the extent to which women's concerns are integrated in all aspects of life on the basis of equal opportunities with men;
- c. Recommend the adoption of appropriate policies, enactment of ordinance of passage of resolutions that enhance the potentials and capabilities of women and men to implement GAD mainstreaming;
- d. Promote and support the establishment of a consultative mechanism to provide continuing dialogue between the City government and the women sector;
- e. Maintain and update a sex-disaggregated data bank through the conduct of the primary and secondary data gathering activities;
- f. Work in collaboration with national and regional government agencies, NGO's, PO's the private sector and institutions to ensure that women's concerns are brought into the mainstream of all development efforts;
- g. Ensure that City development program planning and implementation are gender sensitive/responsive;
- h. Review and approve all GAD PPA's from barangay to city level prior to implementation to minor if activities to be undertaken are in accordance with guidelines set forth;
- i. Create functional committees in performance of its function, as the need arises;
- j. Assist the Finance Committee, the committee on Appropriations ar in the allocation of the GAD Budget;
- k. Avail of education and training seminars offered by NGO's,/PO's educational and research institutions and other private sector initiatives that may be helpful in the achievements of its goals;
- l. Represent the City in local and international women's conferences and for a pertinent to its other duties and functions;

- m. Gather and disseminate information on current developments and studies on GAD and related issues (i.e. gender and governance); and
- n. All other duties and functions that maybe mandated by its council members deemed necessary to achieve its goals.

SEC. 21. Gender and Development Officer. – A Gender and Development Officer shall be appointed to initiate gender and development program in the offices, establishments, companies, departments or agencies of the Local Government of Manila.

SEC. 22. Integrated Gender-Sensitive and Environment-Friendly Zonification Plan of Manila City. – An integrated gender-sensitive and environment friendly zonification plan of Manila City shall constitute the following but not limited to:

- a) Relocation of communities shall not deprive women 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.

SEC. 23. The Creation of Gender and Development Office. – The Manila Gender and Development Office will be under the Mayor's Office and closely working with the GAD Council. The following functions of Manila GAD Office will be limited to:

- a. Monitoring and Coordinative Functions - These functions shall see through the realistic, measurable and tangible results of the implementation of this Ordinance.
- b. Gender-Sensitive Watch - A system of services and facilities in order to monitor status of women in the City of Manila wherein all departments and agencies of Manila City shall develop conceptual and practical methodologies for incorporating gender perspectives into all aspects of economy and policy-making. It shall collect gender and age disaggregated data on poverty situation and all aspects of economic activity and develop qualitative and quantitative statistical performance from a gender perspective. It shall also serve as the data bank of City of Manila on gender and development.
- c. Legal Aid Services Check - A coordinated services for any legal actions needed by the women in protecting their rights shall be installed.
- d. Advocacy and Campaign Management - A coordinated advocacy and campaign on all forms of discrimination and violence against women shall be programmed. Sustainable and Gender-Sensitive Project Development. A system of appraisals of projects to determine sustainable impact on women and men, local economy, politics, culture and ecosystem.
- e. Violence in Media Check - An active dialogue with tri-media representatives shall be undertaken by the Sangguniang Panlungsod Committee on Women's Welfare and Development and women GOs and NGOs on incidence of all forms of violence in media.
- f. Regulatory Function - This function shall include establishing protocols and standards relevant to the following concerns.

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- g. Education and Training Benchmark - Gender-sensitivity education and training for all departments and agencies of the Local Government of Manila at the barangay level shall be designed. Standards for contents of the course shall be established by the Office.
- h. Psychosocial Support Program - A holistic and indigenous approach to women with social dysfunction which includes attendance to their physical/biological, emotional, psychological and social needs shall be set up. Indicators of program success shall established by the Office.
- i. Early Childhood Care and Development Program and Services - Appropriate support services for women and children crèche and day care services for infants and toddlers as prescribed in R.A. 6972 and the Manila City Children's Welfare Code. Indicators of quality of services shall be established by the Office.

SEC. 24. Implementing Rules and Regulations. – Upon affectivity 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 composed of representatives from the City Secretary's Office, City Legal Office, City Planning and Development Office, City Administrator's Office, City Health Department, Social Services and Development Department, Barangay Operations Center, Community Relations Office, City Council on Women and Family Affairs. A consultative body shall be convened after the initial formulation of the Code's Implementing Rules and Regulations (IRR) to validate the draft document. It shall be composed of representatives of the Focal Point of the City departments and offices, NGO's/PO's, and Barangay Officials involved in the process of drafting this Code. The IRR shall take effect after it is ratified through a resolution by the City Council and upon the publication in two (2) local newspapers of general circulation.


SEC. 25. Appropriation. – For the effective implementation of this Ordinance, the City Government shall appropriate at least Five percent (5%) of the City's Annual Development Fund in pursuance of R.A.7192 a DILG-DBM-NCRFW Circular or 2001.

SEC. 26. Separability Clause. – If, for 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.


SEC. 27. Effectivity Clause. – This Ordinance shall take effect upon its approval and after publication in the newspaper of general circulation.

This Ordinance was finally enacted by the City Council of Manila on October 1, 2020.

PRESIDED BY:


PAMELA "FA" G. FUGOSO-PASCUAL
Acting Presiding Officer
City Council, Manila

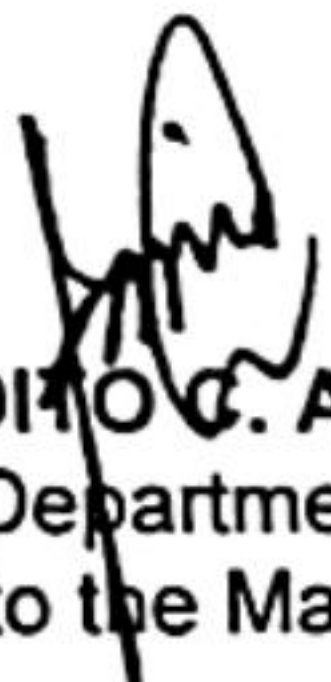
ATTESTED:


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

APPROVED BY HIS HONOR, THE MAYOR, ON NOVEMBER 10, 2020.


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. ANG
City Government Department Head III
(Secretary to the Mayor)

RNF rrb/jv/vjok/cpl/agv/jrp