PO2004-09

87th Regular Session

ORDINANCE NO. SP-1401, S-2004

AN ORDINANCE PROVIDING FOR A CITY GENDER AND DEVELOPMENT CODE AND FOR OTHER PURPOSES.

Introduced by Councilors ANTONIO E. INTON, JR., BERNADETTE HERRERA-DY, AIKO MELENDEZ, ALMA F. MONTILLA, WILMA AMORANTO-SARINO, ELIZABETH A. DELARMENTE, MARY ANN L. SUSANO, DIORELLA MARIA SOTTO-DE LEON, JANET M. MALAYA, JESUS MANUEL C. SUNTAY, VINCENT P. CRISOLOGO, VICTOR V. FERRER, JR., ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, ERIC Z. MEDINA, JORGE L. BANAL, JULIAN M.L. COSETENG, FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, DANTE M. DE GUZMAN, RICARDO R. DEL ROSARIO, RESTITUTO B. MALAÑGEN, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

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

BOOK I – GENERAL PROVISIONS

CHAPTER I – BASIC PRINCIPLES

ARTICLE I
TITLE AND GENERAL POLICY

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

SECTION 2. – Declaration of Policy and Principles of the Quezon City Government. - It shall be the policy of the City government to ensure both women/girls and men/boys benefit equally and participate directly in the development programs and projects of its various departments and ensure the full participation and involvement of both men and women in the development process, pursuant to RA 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 freedoms guaranteed under the Constitution and the Provisions of the Universal Declaration of Human Rights, Convention on the Elimination of All Forms of Discrimination Against Women and other international human rights instruments of which the Philippines is a party.

Women shall be recognized as full and equal partners of men in development and nation building and men shall share equally with all forms of productive and reproductive activities.

The City government shall actively contribute to the establishment of a national and international economic order based on sustained, equitable growth and balanced ecology. Any development effort it undertakes should realize the rights of women, enhance women's full potentials, uplift their status and lead to the improvement of the quality of lives, their families and communities.

Toward this end, the City government shall pursue and implement vigorously gender responsive development policies, design and integrate specific gender support systems, take into consideration women's and girls' right to economic survival, political participation, self-determination and personal empowerment; adopt and implement measure to protect and promote their rights; and ensure the widest participation of women from the local government, non-governmental organizations (NGOs) and people's organizations (POs), and the private/business sector in all phases of development program cycle.

TO ATTAIN THE FOREGOING POLICY:

1. All City government departments, offices and instrumentalities shall ensure that women and girls benefit equally and participate directly in the development programs and projects of said departments and agencies, specifically those funded under official foreign development assistance, to ensure the full participation and involvement of women in the development process, pursuant to RA 7192, or the Women in Development and Nation Building Act.

2. All City government project proposals shall ascertain the inclusion of gender responsive indicators and guidelines while not be remiss in locating the root of women's oppression, pursuant to the United Nations Declarations and Conventions of Women of which the Philippine government is a signatory.

3. All City departments, offices and instrumentalities upon effectivity of this Code, shall review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein, and shall complete the same within two years.

ARTICLE I
Related Principles

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

a. Women have the right to the prevention of, and protection from all forms of violence and coercion against their person, their freedom, their sexuality, and their individuality.

b. Women have the right to freely and fully participate individually or collectively in the political processes of their communities and nations.

c. Women have the right to the means for assuring their economic welfare and security.

d. Women have the right to the necessary knowledge and means for the full exercise of their reproductive choice in accordance to the Constitution and their beliefs and preferences.

e. Women have the right to choose a spouse in accordance with their values and preferences, maintain equality in marriage or its dissolution, and obtain adequate support for rearing and caring of their children.

f. Women have the right to an adequate, relevant and gender-fair education throughout their lives, from childhood to adulthood.

g. Women have the right to adequate nutrition and proper health care.

h. Women have the right to humane living condition.

i. Women have the right to nurture their personhood, collectively and individually, to secure an image of themselves as whole and valuable human beings, to build relationships based on respect, trust and mutuality.

j. Women have the right to equality before the law in principle, as well as in practice.

SECTION 4. Gender, Development, Discrimination, Commodification Defined:

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.

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.

Discrimination Against Women - any distinction, exclusion or restriction made on the basis of sex has purpose or effect of impairing or nullifying the recognition, enjoyment or exercise by women of their rights irrespective of their marital status.

Commodification of Women - is a practice which puts women in subordinate situation which results in the treatment of women as both consumers and objects. As consumer, women are enticed to buy beauty products to enhance their physical attractiveness. As objects of consumption, women are reduced to a sexual commodity for manipulation and utilization for one's sexual desire or interest usually in exchange of money or goods so that women have no control or power to reject such utilization or manipulation.

CHAPTER II – DEVELOPMENT CONCERNS

ARTICLE I
Violence Against Women

SECTION 1. Violence Against Women Defined. - Any act of gender-based violence that results in, or is likely to result, in physical, sexual or psychological harm or suffering to women, including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or private life as defined in the UN Declaration on the Elimination of Violence Against Women.

SECTION 2. Violence Against Women shall include but is not limited to:

a. Physical, sexual and psychological violence occurring in the family regardless of relationships, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.

b. Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.

c. Violations of the human rights of women in situations of armed-conflict, in particular murder, physical and psychological torture, systematic rape, sexual slavery and forced pregnancy.

d. Forced sterilization and forced abortion, social stigmatization, coercive/forced use of contraceptives, prenatal sex selection, female infanticide, forced medical or psychological examinations without expressed approval of the concerned person.

e. To buy or sell a woman or any of her body parts for profit.

f. Sexual harassment and assault of women in detention.

SECTION 3. Sexual Abuse Defined. – Sexual abuse shall include but is not limited to the following:

a. When a man inserts or attempts to insert his penis into the mouth, genital or anus of a woman under any of the following:

1) through force, threat or intimidation;
2) by means of abuse of authority or relationship;
3) when the offended party is deprived of reason or is otherwise unconscious;
4) when the offended party is below twelve years old, even though none of the above circumstances is present.

b. When a person who inserts part of his or her body other than the sexual organ, or who introduces any object or instrument into the genital or anus of a women under any of the situations stated in paragraph 1.

c. When a person subjects another to have sexual intercourse with an animal under any of the circumstances stated in paragraph 1 or through any abnormal, unusual or ignominious sexual act.

d. Sexual abuse in intimate relations consisting of any form of forced sexual act by a partner to the other within intimate relations as defined in the Anti-Rape Law of 2001, such as those between women relations, married or unmarried, legally separated or separated in fact.

e. Incestuous abuse committed by any person who has authority over a person by virtue of consanguinity and/or affinity such as those perpetrated by father, mother, grandparent, brother, sister, whether whole or half blood; an uncle, aunt, nephew or niece, or cousin to the 4th degree.

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

a. Physical abuse and battering – this includes any form of inflicting wounds, pain, etc. on any part of the woman's body or the threat of physical violence.

b. Sexual abuse and assault – this includes physical attacks on the women's breast/genitals or forced sexual activity, accompanied by either physical violence or the threat of physical violence.

c. Psychological abuse - this includes threats of suicide, violence against the women or her family, punching, breaking or defacing or otherwise destroying the house or any part thereof; or of personal belongings of a woman, threatening to take the children away, threatening deportation of wives with foreign citizenship, threatening to kidnap children or take them to a foreign country and forcing the victim to do degrading things; controlling the victim's lawful or usual activities, the use of foul and insulting words or statements and threats of abandonment and expulsion such as forcing the wives to leave the conjugal dwelling. This provision shall apply to any form of intimate relations such as common-law relations, those between and among members of the same household; and include men's control over women's resources (e.g. income, property, etc.).

d. Economic abuse - this includes deprivation of women on economic resources, their generation and mobilization so as to create dependency and submissiveness to men and to any established structures of domination such as controlling over women's hard-earned money and use them for his vices, etc.

SECTION 5. Trafficking in Women Defined. - A covert or overt 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 is not limited to any person or association, cult, religion or organization or similar entities to commit the following acts:

a. establish or carry on a business for the purpose of matching women for marriage to foreigner either on a mail order basis or through personal introduction or cyberspace;

b. Advertise, publish, print or distribute, or cause the advertisement, publication, printing or distribution of any brochure, flyer or propaganda material calculated to promote the above-mentioned prohibited acts for profit or advantage;

c. solicit, enlist or attach/induce any woman to join any club, association or organization whose objective is to match women for marriage to foreigners either on a mail-order basis or through personal introduction or cyberspace or any form which facilitate the act of solicitation;

d. use the postal service, cyberspace or satellite TV to promote the above-mentioned prohibited acts;

e. to buy or sell a woman, or any of her body parts for profit; or to use her body by any pretext; to be used for experiments, research or the like without her consent;

f. act as a procurer of a prostituted woman;

g. threaten or use violence and force a woman to become a mail-order bride;

h. lease or sublease, use or allow to be used any house, building or establishment for the purpose of trafficking in persons; and

i. organize, produce or distribute pornographic materials that promotes traffic in persons.

SECTION 6. Mail Order Bride Defined. - It is a practice where a woman establishes personal relation with male-foreign national via mail, electronic or similar means upon recruitment by an individual or agency for the purpose of exploiting women in guise of marriage.

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

Sexual harassment shall be unlawful in the employment, education or training environment as prescribed in RA 7877.

SECTION 8. Other Forms of Sexual Harassment. - Other than the definition provided by RA 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 other analogous statements to someone who finds them offensive or humiliating;
b. taunting a person with constant talk about sex and sexual innuendoes; displaying offensive or lewd pictures and publications in the workplace;
c. interrogating someone about sexual activities or private life; during interviews for employment, scholarship grant of any lawful activity applied for;
d. making offensive hand or body gestures at someone;
e. repeatedly asking for dates despite verbal rejection;
f. touching, pinching or brushing up against someone's body unnecessarily or deliberately;
g. kissing or embracing someone against her will;
h. requesting sexual favors in exchange for a good grade, obtaining a good job or promotion, etc.;
i. cursing, whistling or calling a woman in public with words having dirty connotations or implications which tend to ridicule, humiliate or embarrass the woman 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.

SECTION 9. Pedophilia Defined. - It is a form of sexual perversion where children are the preferred victims for intercourse. It shall include the following acts but shall not be limited to the following:

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

SECTION 10. Commercial Exploitation of Women/Men and Girls/Boys.- It shall be unlawful for any person to sell or market women's and girl's bodies in various forms of packaging. These include but not limited to the following:

a. Prostitution which is selling a woman's body mainly for sex;
b. Printing, publication, display and distribution of pornographic scenes on movies/TV shows, trailers, posters, billboards and other materials and literature that treat women/men and girls/boys as sex objects and commodities;
c. Pornographic and indecent shows depicting women/men and girls/boys as sexual objects either in nude or provocative gestures; and/or
d. Live shows where women or girl-children are influenced or forced to dance or do naked shows in public or private places for various purposes.

SECTION 11. Non-discrimination of gays, lesbians, bisexuals and transgenders. – 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 project, and/or other family or community activities. Every person's right to her/his sexual preference shall be respected and protected as stipulated in City Ordinance No. SP-1309, Series of 2003.

ARTICLE II

Support Mechanisms to Empower Women and Promote and Respect Women's Rights

SECTION 12. Comprehensive Support to Women-Survivors of Violence.- The City government shall provide comprehensive support to women-survivors of violence which consists of but not limited to the following:

a. immediately conduct an investigation within 24 hours;
b. provide for counseling and medical services for the offended party;
c. gather evidence for the arrest and prosecution of the offenders;
d. make a report of his/her investigation and, on the basis of the offended party's testimony and additional evidence, if any, endorse the same to the proper prosecution office within thirty-six (36) hours from time of filing, regardless of his/her evaluation of the case;
e. the investigation officer or the examining physician, if possible, of the same sex as the offended party, ensures that only persons expressly authorized by the latter are allowed inside the room where the investigation or medical or physical examination is being conducted;
f. women victims-survivors of all forms of violence shall be registered in a community-based psychological program that shall assist the women in holistically re-building and empowering themselves;
g. All investigations/hearing involving rape cases and other forms of violence against women conducted in the police stations, prosecution's office and the trial courts shall recognize the survivor's social support group as expressly allowed or requested by the offended party;
h. A temporary shelter with appropriate support services for women in crises shall be appropriately constructed under the management and supervision of the City Social Services and Development Department; and
i. Free legal services to women and victim-survivors.

SECTION 13. Psychosocial Program. - It is an intervention using integration and holistic approach to conditions of women considering their differentiated needs within a social context.

SECTION 14. Survivor's Support Group Defined. - It is an organized group of women to whom a woman-survivor of violence voluntarily agrees to go through a collective helping process.

SECTION 15. Support Services for Women in the Entertainment Industry, Entertainment Industry Defined. - Women in the entertainment industry are those women employed in establishment identified as places of amusements defined in the Local Tax Code of Quezon City under City Ordinance No. SP-91, Series of 1993 and shall include, but not limited to, night

clubs or day clubs, cocktail lounges, super or family clubs, karaoke and videoke bars, beer houses/gardens, fast food centers, resort which show 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 socio-economic support services for women in the entertainment industry in order to respond to their practical needs.

SECTION 16. Regular Medical Routine Check-Up. - Women in the entertainment industry shall be required to undergo medical routine check-up and be prescribed medicines if needed.

ARTICLE III

Political and Public Sphere Participation of Women

SECTION 17. Election of Women Sectoral Representative to the Sangguniang Panlungsod. - As a concrete manifestation of acknowledgement in the importance of women's important role in local governance and pursuant to Section 457 (b) of the Local Government Code of 1990, the City government shall appropriate funds for the election of a sectoral representative for women at the Sangguniang Panlungsod of Quezon City. The woman sectoral representative shall be elected by the members of all accredited women's organizations in Quezon City.

SECTION 18. 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 accomplishments and programs geared towards people-centered genuine development. Both the City and Barangay Development Councils shall undergo capacity building for gender responsive development planning to ensure that all plans, programs and projects are gender responsive.

SECTION 19. Promoting Gender Balance at all levels of QC Local Government Positions. – The City government shall promote gender balance or equal proportion of qualified women and men for opportunity to assure key positions at all levels of local government, 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 structures of the City Development Council (CDC) and the Barangay Development Council (BDC). Implementation guidelines shall be detailed in the Code's Implementing Rules and Regulations.

SECTION 20. Barangay Gender and Development Committee. – All barangays shall establish their respective Barangay Gender and Development Committees 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 percent GAD Budget as institutionalized and mandated by law.

SECTION 21. Marking Significant Days for Women's Action. – March 8 as International Women's Day shall be declared as a special day for all women in Quezon City through an Executive Order. There shall be coordinated City and barangay level activities for women to be highlighted with the State of the Women Address by the City Mayor reporting all accomplishments and initiatives to promote the status of women in Quezon City. A committee for this activity should be convened and spearheaded by the City GAD Council.

A half day leave with pay may be availed of by any woman employee on March 8. In recognition of women's contributions to society, commercial establishments shall be encouraged to give a twenty percent (20%) discount for women in March 8. Implementation guidelines shall be provided in this Code's Implementing Rules and Regulations.

SECTION 22. Day of Action for Breast Cancer Awareness. – The City government shall set a day in the third week of March to organize information campaign activities on breast cancer, one of the top causes of maternal mortality. A coordinated City and barangay level activities shall be set and spearheaded by the City Health Department to promote consciousness on breast cancer.

SECTION 23. Girl Child Week. - The City government shall set the first week of October to organize activities to celebrate the Girl Child Week, with special recognition of cases of working children. It shall be spearheaded by the Division of City Schools and the Social Services and Development Department.

SECTION 24. 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.

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

SECTION 26. Quezon City Gender and Development Summit. – The City government shall set a day every week of October to hold a Gender and Development Summit as part of the City Foundation Day Celebration. A committee shall be convened to manage and coordinate the activities and affairs of the summit focusing on (a) current situation of women in Quezon City; and (b) women's issues and concerns and how these can be addressed. The summit shall come up with priority issues with their specific action points to be disseminated and proposed for adoption at the city and barangay councils.

SECTION 27. 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.

ARTICLE IV

Labor and Employment

SECTION 28. Wage and Benefits for Women. – Every employer shall comply with the minimum wage as stipulated by the Regional Wage Board or as stipulated 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 provision shall apply to benefits covered by Collective Bargaining Agreements between employers and unions.

SECTION 29. Increase Maternity Leave Benefits as Incentives for Breast Feeding Mothers in the Private Sector. – Additional maternity leave benefits up to sixty (60) days from forty-five (45) days mandated by law under RA 8283, 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 breast feeding for the new-born baby by the concerned employee.

SECTION 30. Increase Paternity Leave Benefits as Incentive for Fathers for Meaningful Participation in the Care of the New Born Child in the Private Sector. – Additonal Paternity Leave Benefits up to fourteen (14) days from the seven (7) days mandated by law under RA 8187, shall be extended to male employees in private offices and commercial/industrial establishments located in the City, who have rendered at least one (1) year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees' union and management. Provided, further, that any additional leave period shall be used for caring of the new-born baby by the concerned employee.

SECTION 31. Increase Reproductive Health Benefits for Women. – A yearly twelve ((12) day menstrual/menopausal leave for women employees in private offices and commercial/industrial establishments located in the City, who have rendered at least one year continuous service, provided that this benefit shall be mutually agreed upon in the Collective Bargaining Agreement (CBA) between the concerned employees' union and management. Provided, further, that this benefit shall be taken one-day each month for menstrual or menopausal leave.

SECTION 32. Orientation on Sexual Harassment. - All government agencies and private offices, commercial/industrial establishments located in the City shall conduct regular orientation on sexual harassment for their respective employees. Certificate of Compliance shall be submitted to the 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 (IRR) 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 RA 7877 and the Civil Service Rules and Regulations on Sexual Harassment.

The City government shall campaign to set up/create the same CODI in all private offices and commercial/industrial establishments.

SECTION 33. Setting-up Grievance Machinery. - A grievance committee shall be set-up in all government and private office, commercial/industrial establishments located in the City, to act on complaints/cases related to various forms of discrimination against women in the work place such as hiring, job training, promotion, and the like.

SECTION 34. Equal Access to Job Training and Promotion. – No

SECTION 35. Facilities and Support Systems for Women. – The City government shall ensure occupational safety and health of women employees in both government and private offices and commercial/industrial establishments. In appropriate cases, it shall require employers to:

a. provide 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 room for women;
c. provide breast feeding corner for women in the workplace.

SECTION 36. Household Based Workers or Women in the Informal Sector. – The City government shall ensure that social protection shall be accorded to women working in the informal economy. These are women vendors, sewers, laundry workers, and related occupation. Organized home-based workers may avail of social security employees' compensation benefits and PhilHealth benefits upon proper documentation and registration with the Social Security System and PhilHealth, respectively.

The City government, through the Industrial Relations Office, Community Relations Office, Social Services and Development Department, and the SIKAP BUHAY Program shall conduct an inventory of all women involved in the informal sector for consultation and provision of appropriate support services for the sector.

SECTION 37. Barangay-Based Househelp Support. – All barangays in Quezon City shall conduct compulsory education for both house helpers and house helper employers on gender-sensitivity. An administrative sanction shall be imposed to any Barangay Council which fails to comply with this provision.

SECTION 38. Women in the Entertainment Industry. – Women engaged in legitimate occupations in the entertainment industry such as singers, stage performers/actresses, bar girls and receptionists, shall be recognized as wage earned and they shall receive a minimum wage and benefits afforded to women workers and shall render services as set in the job contract and only in the place of work as specified in the business permit of the establishment concerned.

It must be emphasized that employing minors in the entertainment industry is prohibited in accordance with RA 7658.

SECTION 39. Police Operations in Entertainment Establishments. – All police operations or raids conducted in any entertainment establishment must be undertaken with utmost care and respect for human rights. Police officers shall not take this opportunity for sexual exploitation of or extortion from entertainers and other concerned parties. Violation of this provision is punishable under the Revised Penal Code and other related laws.

SECTION 40. Tax Incentives for Business Entities. – The City government shall provide tax incentives to business entities as follows:

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

SECTION 41. Monitoring System for Labor Standards. – A mechanism shall be installed by the City GAD Council to monitor all offices, agencies and establishments or companies violating Labor Code provisions and provisions of this Ordinance; prepare regular reports to concerned departments and recommend appropriate action.

ARTICLE V
Health Rights

SECTION 42. Right to Health. Article 12 of the UN International Covenant on Economic, Social and Cultural Rights provides that women's right to health, which includes women's reproductive rights, is a basic fundamental human right. In recognition of the fact that women's reproductive roles and social expectations have made health policies, programs and services to focus more on pregnancy and birth-related cases rather than on more holistic approach, the City government shall respect and promote a rights based approach to women and men's health by considering their respective specific realities and health needs at every stages in their lives. It shall also promote couple's shared responsibilities for childbirth and child care.

SECTION 43. Reproductive Health Defined. – As defined in the International Conference on Population and Development and World Health Organization and affirmed in the International Women's Conference in Beijing, reproductive health is a state of complete physical, mental, and social well-being and not merely the absence of disease and infirmity in all matters relating to the reproductive system and to its functions and processes, i.e., people are able to have a satisfying and safe sex life and have the capability to reproduce and the freedom to decide it, when and how to do so.

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

SECTION 44. Health Care Delivery. – Quality health care and services shall be accessible to all women and men regardless of age, sex, creed, religion and ethnicity in Quezon City.

No hospital in the City shall deny women and men living below the poverty line of reproductive health services. A certificate of indigency shall be issued by the punong barangay for the purpose of verification.

In case of emergency, a social worker or any authorized personnel shall be designated to conduct rapid appraisal of the socio-economic status of the patient for admission purposes.

The City government must ensure regular expansion and upgrading of health care facilities to ensure their access by all women and men.

SECTION 45. 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 on these matters and corresponding services shall be made available.

SECTION 46. Gender-Sensitive Women and Children Protection Unit (WCPU). – The City government shall establish a Gender-Sensitive Crisis Intervention Unit at all levels of health care, especially at the tertiary level, and shall provide service training to all health and other allied personnel who shall be assigned in this unit.

SECTION 47. Gender-Fair Approach to Pre-Marital Counseling Program. – The City Health Department and the Social Services and Development Department shall ensure gender-sensitive conduct required in the application for marriage licenses with the City Civil Registry.

SECTION 48. 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.

ARTICLE VI
Education Rights

SECTION 49. Conduct of Regular Gender-Sensitivity Training For All Teachers at All School Levels. – The Division of City Schools in coordination with Quezon City GAD Council shall conduct and incorporate gender-sensitivity orientation in teachers' orientation seminars and Parents-Teachers Association (PTAs) meetings conducted before classes start in the beginning of the school year.

SECTION 50. Developing Gender-Fair Educational Materials. – The Division of City Schools shall ensure that all educational materials developed by the City schools officials and the private sector are gender-fair and do not portray stereotyping of roles for men and women or boys and girls. It shall conduct a regular monitoring and review of existing educational materials to ensure that these are gender sensitive and gender fair.

SECTION 51. Promotion of Gender-Sensitive Curriculum. – All public and private schools in Quezon City shall actively promote gender-sensitivity in their subject/course curriculum and gender fair socialization for school pupils. The Division of City Schools shall also ensure that city school officials and the private sector professional school counselling and career education programs are gender responsive.

SECTION 52. Promoting Gender Sensitive Education Programs 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 equipt them with theoretical and practical knowledge on gender justice.

SECTION. 53. Gender-responsive Non-Formal Education for Youth and Adults. – The Division of City Schools in coordination with Quezon City 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.

SECTION 60. Social Lending Program. – The City government shall establish a social lending program to cater to low-income families with interest rates similar to those availed by members of cooperatives.

SECTION 61. Access to Investment and Loan Program. – Loans shall be extended to women engaged in small to medium scale enterprises as well as to displaced industrial workers under the principle of self-reliance and hard work.

SECTION 62. Low-Cost Basic Services. – The City government shall facilitate access of women and men for quality low-cost housing, safe water, electricity, communication, transportation and basic commodities.

SECTION 63. Monitoring of Standardization of Prices of Basic Commodities. – The City government shall ensure fair marketing practices and standard pricing of basic commodities through regular price monitoring in local markets.

SECTION 64. Economic Empowerment for Poor Women. – Feminization of poverty which is regarded as a condition when gap between the rich and the poor widens and grassroots women bear the brunt as in economic leading to instability and unequal distribution of wealth. Such gap reinforces non-response to both practical strategic interests of women. The City government shall ensure poor women of strategic and transformative mechanisms whereby they could uplift their economic and social conditions.

ARTICLE IX
Special Sectoral Concerns

SECTION 65. Differently-abled Women Defined. – Differently-abled women are those who experience one or a combination of physical impairment with distinct needs and potentials.

SECTION 66. Advocacy on Differently-Abled Women's Rights and Support Mechanisms for Education and Employment. – The City government shall initiate active advocacy on the rights of differently-abled women; establish special education schools/classes for them through the Division of City Schools and which shall offer appropriate curriculum for their specific needs; develop creative employment opportunities for theim in recornition 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 RA 7277 or the Magna Carta for Disabled Persons that reserves five (5%) percent of contractual or emergency positions for persons with disabilities.

SECTION 67. Organization of Differently-Abled Women in the Community. – It shall be the duty of the Barangay GAD Committee to organize differently-abled women in the community in order to advance the interests of this special group of women and to monitor and report cases of harassment and discrimination committed against differently-abled women.

SECTION 68. 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 socio-economic activities.

SECTION 69. Support to Women in Detention. – The rights of all women detainees shall be protected by ensuring them of a) speedy trial of their respective cases; b) appropriate program to respond to their specific needs and problems as detainees; and c) separate physical structure and space provisions for detention and rehabilitation; and d) provision of legal services.

ARTICLE X
Women and Children Support System

SECTION 70. The City government shall implement systems and programs that are anchored on the United Nations Convention on the Rights of the Child (UN CRC) which stipulates the promotion and protection of children's rights to survival, development and protection in national and local laws which now includes the New Family Code and the Child Youth Welfare Code.

SECTION 71. Gender-Responsive and Child-friendly Child Minding Center in Every Barangay. – The City government shall ensure that child-friendly and gender responsive child day care/minding centers are set up in every barangay to provide parents support facilities for the care of their children when they go to work or school. The centers shall ensure that the basic early child education curriculum in the centers promote gender fair socialization; encourage both fathers and mothers participate in the development, care and nurturing of their children; and boys and girls in the center are able to learn to respect the rights of all children to the full enjoyment of their childhood and their rights.

SECTION 72. Shared Parenting and Responsibilities. – The City government shall advocate that all fathers and mothers have both the moral obligation and responsibility in assuring the rights and well-being of their children, such as caring and nurturing, regardless of sex, and physiological and psychological conditions.

ARTICLE XI
Gender and Development

SECTION 73. Gender and Development Defined. – Conscious efforts at improving the quality of lives of women and men of all sexual orientations and identities based on sustained, equitable growth and balanced ecology. It sees society as a gender system in all its aspects - economic, political and social. It views oppression in both private and public spheres recognizing women as agents of change through the reorientation of the male-centered culture.

SECTION 74. Gender Sensitivity and Training, Gender Sensitization Defined. - It is a critical process of learning and unlearning by an individual, female or male, of the causes and effects of the culturally determined roles of women and men.

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

SECTION 75. Active Support to Gender Studies. – A sufficient amount shall be allotted to gender-related documentation and researches which shall form part of Quezon City's data-based program development.

SECTION 76. Production, Popularization of and Campaign Gender-Fair Materials. - The City government shall actively promote, publish popular forms of gender-fair materials through all concerned departments and local agencies/networks.

SECTION 77. Gender and Development (GAD) Focal Point. - The Gender and Development Council which has been created under City Ordinance No. SP-1036, S-2001, shall be designated as the main GAD Focal Point of the City government. It shall be the major body that will initiate GAD programs, projects and activities for the City's constituents through the various City departments and instrumentalities. It shall work in close coordination with the Gender and Development Resource and Coordinating Office, the GAD Focal Points formed in every department/office and the Barangay GAD Focal Points created in each barangay.

SECTION 78. Integrated Gender-Sensitive and Environment-Friendly Zonification Plan of Quezon City. - An integrated gender-sensitive and environment friendly zonification plan of Quezon City shall constitute the following but not limited to:

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

SECTION 79. Community-Based Environment Plans and Programs. - Both men and women shall participate in pollution control, zero-waste technology development and management preservation of the city's remaining tree parks and aquatic resources.

SECTION 80. Gender-Sensitive Natural Resource-based Management Programs. - The City government shall engage itself in the development of gender-sensitive natural resource-based management programs.

SECTION 81. Role of Women and Men in Environment Impact Assessment of Projects. - The City government shall promote the active role of women vis-à-vis men in environmental impact assessment of projects. Instruments for environmental impact assessment shall consciously determine sex disaggregated data.

SECTION 82. Promotion of Appropriate Technology. - The City government of Quezon City shall actively promote alternative technologies that are appropriate and safe for women.

SECTION 83. Sufficient Budget for Basic Social Services. - A sufficient amount shall be allocated from all sources of funds for the basic social services for women and children in extremely difficult circumstances.

SECTION 84. Investments and Loans. - The City government shall hold consultative assemblies with women NGOs/POs in establishing contracts for loans and investments to clarify implications on women's welfare and development at the barangay level.

SECTION 85. Overseas Contract Worker's (OCW) Wives and Children Support. - The City government shall conduct a survey of overseas contract workers at the barangay level, out of which shall serve as basis for special support to OCW families, especially wives and children.

SECTION 86. Special Course on OCW. - A special course on overseas contract work primarily to orient women on the issues and concerns relative to migration shall be conducted in all barangays to be organized by their respective Barangay GAD Committee.

SECTION 87. Education on National Policies. - Women and men shall undertake education on national policies and their implications on women.

SECTION 88. Special Training for Lupong Tagapamayapa. – All training courses for Barangay Lupong Tagapamayapa and Barangay Security and Development Officers (BSDOs) shall include gender and development basic orientation.

SECTION 89. Gender and Population. - The City Health Department shall review and redesign the population program based on the reproductive health framework.

SECTION 90. Training on Non-Traditional Occupation. - Women shall be given opportunity to acquire training on non-traditional occupation specially in the field of science and technology.

BOOK II - FINAL PROVISIONS
CHAPTER I - PENAL PROVISIONS

ARTICLE I
Violence Against Women and Children

SECTION 1. Soliciting Sexual Services. - It is unlawful for a person to solicit a women's service for sexual purposes as gift, representation, public relations, or as an act of goodwill regardless of whether the solicitor profits or not from such act without prejudice to the provisions of the Revised Penal Code and RA 9208 or the Anti-Trafficking in Persons Act.

Any person may file complaint together with the affected women to the proper court. Violators of this Code shall suffer the penalty in accordance with RA 9208.

SECTION 2. Trafficking in Women and Children. - Any person or agency, who, with the use of force or deceit, lures a woman or boy/girl child to work abroad or in other provinces or cities in the Philippines for a particular job on a promise of high fees, but instead landed on prostitution, domestic help or other odd jobs. Violators of this provision shall be penalized in accordance with the penal provisions under RA 9208 or the Anti-Trafficking in Persons Act, RA 7610 or the Law on Protection Against Child Abuse, RA 7877 or the Anti-Sexual Harassment Law, RA 8353 or the Anti-Rape Law, and the Revised Penal Code.

SECTION 3. Prostitution Sex Trade. - An agency or person who shall engage in keeping women for sex for a fee shall suffer the penalty in accordance with the Revised Penal Code.

Entertainment establishment that promotes prostitution as defined in this Code shall suffer the penalty in accordance with RA 7610, RA 9208, RA 7877, RA 8353 and RA 7658.

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

SECTION 5. Beauty Contests. - Beauty contests which tend to commodify, abuse, humiliate and treat other persons, specially women and homosexuals as sex objects shall strictly be prohibited in schools, communities, barangays and by the City government in its special celebrations, but in their stead the projection of women's strengths and potentials, especially with regard to indigenous and culturally relevant forms shall be encouraged.

Those who initiated 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 (P5,000.00), c) Others, as prescribed in the implementing rules and regulations of this Code.

For representatives of agencies, departments or units of the local government of Quezon City: a) Suspension for one month without pay; b) Fine of Five Thousand Pesos (P5,000.00), c) Others, as prescribed 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 (P5,000.00); c) Others, as prescribed in the implementing rules and regulations of this Code.

SECTION 6. Fund Raising Initiative Defined. - It refers to any activity, whether in whole or in part, integrated in any raffle draw, benefit or disco dance, premier showing or movies, or any similar fund-raising undertakings where women are used as donor prize, substitute for prizes won, a companion package for an award, prize or recognition, or any manner, activity, come-on display, or exhibition which depicts a woman as central, partial, or special focus in order to raise funds.

All fund raising initiatives as defined in this Code shall be strictly prohibited in Quezon City. Violators of this provision shall pay a fine of Five Thousand Pesos (P5,000.00) or imprisonment of six (6) months or both at the discretion of the court.

SECTION 7. Women and Girls in Detention. – No women or girl child shall be kept by any PNP/military personnel in police/military detachment/checkpoint or any analogous quarter for purposes of comfort and may not be deprived of basic social service in detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.

SECTION 8. Forced Marriage - No women shall be forced to marry on the basis of vitiated consent. 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 (P5,000.00) or an imprisonment of one year, or both, at the discretion of the Court.

SECTION 9. Regular Surveillance of Entertainment Establishments. - A City Interdepartmental Task Force shall be created to conduct regular surveillance of business establishments involved in trading women's bodies such as (a) prostitution; (b) printing, publication, display and distribution of pornographic scenes on Movies/TV shows, trailers, posters, billboards and other materials and literature that treat women as sex objects and commodities; organizing production of pornographic and indecent shows depicting women and girls as sexual objects either in nude or provocative gestures; and mounting live shows where women or girl-child are influenced or forced to dance or do naked shows in public or private places.

Any person or agency who engages in organizing or production these activities that exploit women and girl children violate human rights and shall be dealt with under the law. Failure of the Task Force to submit weekly report shall be subjected to administrative sanction.

SECTION 10. Violence Against Women. - Any violator of this Code as stipulated in Section 1, Art. 1, Chapter 2 in Book 1 shall be penalized in accordance with the provisions of the Revised Penal Code.

SECTION 11. Pedophilia. – Any act falling under the definition of pedophilia shall constitute a violation of this Code as stipulated in Section 9, Art. 1, Chapter 2 in Book 1. Any violator of this provision shall be penalized in accordance with the Revised Penal Code.

ARTICLE II
Labor and Employment

SECTION 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 (P5,000.00) 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 months suspension and a fine of One Thousand Pesos (P1,000.00).

SECTION 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. Violation by private employers shall constitute a fine of Five Thousand Pesos (P5,000.00) 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 months suspension and a fine of One Thousand Pesos (P 1,000.00).

SECTION 14. Facilities and Support Systems for Women. - The City government shall ensure the safety and health of women employees. In appropriate cases, it shall require employers to:

a. provide seats 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 lounge for men and women and provide at least a dressing room for women;
c. provide breast feeding corners for women in the workplaces.

Violation by private employers shall constitute a fine of Five Thousand pesos (P5,000.00) and the cancellation of business permit or as prescribed by the Court. Government unit or agency head of office is liable with the penalty of three months suspension and a fine of One Thousand Pesos (P1,000.00).

SECTION 15. Increase Maternity Leave Benefits as Incentives for Breast Feeding Mothers in the Public and Private Sector. – Maternity leave benefits of forty-five (45) days shall be extended accordingly to all women employees (public and private) who have rendered at least one year continuous service.

Any employer who violates this provision shall pay a fine of Five Thousand Pesos (P5,000.00) and a suspension of business permit or license to operate for six (6) months. For local government department or agency, administrative sanctions shall be imposed.

SECTION 16. Barangay Education on Gender-Sensitivity. – All barangays in Quezon City 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 this provision.

SECTION 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 provision shall be subjected to a fine of Five Thousand Pesos (P5,000.00) or cancellation of business permit, or both, at the discretion of the Court.

SECTION 18. Police Operations in Entertainment Establishments. – 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.

SECTION 19. Orientation on Sexual Harassment. – All government and commercial and private offices, agencies, establishments or companies located in the City shall conduct regular orientation seminars on sexual harassment for their respective employees.

Certificate of compliance shall be issued by the City Gender and Development Resource and Coordinating Office. Establishments which fail to comply with this provision shall pay a fine of not less than Three Thousand Pesos (P3,000.00) immediately or at the discretion of the Court.

ARTICLE III
Health Rights

SECTION 20. Socialized Reproductive Health Services for All Hospitals. - No hospital in Quezon City shall deny a woman living below the poverty line of reproductive health services. Certificate of Indigency shall be issued by the barangay captain.

In cases 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. Non-compliance of the Administrator of this provision shall be penalized in accordance with penal provisions under RA 8344.

ARTICLE IV
Socio-Economic Benefits

SECTION 21. Socialized Lending Program - All banks, financial/lending institutions and cooperatives shall open special windows for lending to women engaged in small to medium scale enterprises, including young women who lack access to traditional sources of collateral.

Money lending institutions shall establish a "socialized lending scheme friendly to women" subject to the following conditions:

a. Based on cooperatives interest rates;
b. No post-dated checks for payment;
c. Submission of a Certificate of Income Generating Activity of potential beneficiary from her Barangay.

Failure to comply with this provision shall subject the concerned establishments to administrative sanctions.

ARTICLE V
Special Sectoral Concerns

SECTION 22. Barangay-Level Sanction on Cases of Harassment Committed Against Differently-Abled and Elderly Women. - All barangays in Quezon City shall formulate a barangay-level sanction on cases of harassment committed against differently-abled and elderly women. Failure to comply with this provision shall subject the barangay council to an administrative sanction.

ARTICLE VI
Gender and Development

SECTION 24. Gender Sensitivity Orientation and Training. - All schools, offices, establishments or companies, departments and agencies including barangay officials of the local government shall initiate gender sensitivity orientation and training which shall equipt them with theoretical and practical knowledge on gender justice. Non-compliance of this provision shall require the concerned party to pay a fine of Five Thousand Pesos (P5,000.00) and issuance of warning by the Integrated Gender and Development Office.

CHAPTER II
Provisions for Implementation

SECTION 25. Powers and Functions of the City Gender and Development (GAD) Council. – As the City government's GAD Focal Point, the City GAD Council shall ensure the promotion of women's empowerment and equality/equity between women and men in the City: and is primarily responsible for ensuring the sustained implementation of this City GAD Code. To achieve these, it shall perform the following powers and duties:

a. Formulates and submit comprehensive medium term (three years) and annual integrated GAD plans responsive to the needs and situation of women constituents that incorporate policies, programs, and activities (PPAs) that will uplift their conditions;

b. Monitors and evaluates the implementation of local gender and development policies, programs and activities through the conduct of regular review and evaluation of existing legislation, policies and programs measuring the extent to which womens concern are integrated in all aspects of life on the basis of equal opportunities with men;

c. Recommends the adoption of appropriate policies, enactment of ordinances or passage of resolutions that enhance the potentials and capabilities of women and men to implement GAD mainstreaming;

d. Promotes and support the establishments of a consultative mechanism to provide continuing dialogue between the City government and the women sector;

e. Maintains and update a sex-disaggregated data bank through the conduct of the primary and secondary data gathering activities;

f. Works in collaboration with national and regional government agencies, NGOs, POs, the private sector and institutions to ensure that women's concerns are brought into the mainstream of all development efforts;

g. Ensures that all City development program planning and implementation are gender sensitive/responsive.

h. Reviews and approves all GAD PPAs from barangay to city level prior to implemntation to monitor if activities to be undertaken are in accordance with guidelines set forth;

i. Creates functional committees in the performance of its functions, as the need arises;

j. Assist the Finance Committee, the Committee on Appropriations in the allocation of the GAD budget;

k. Avails of educational and training seminars offered by NGOs/POs educational and research institutions and other private sector initiatives that may be helpful in the achievement of its goals;

l. Represents the City in local and international women's conferences and for a pertinent to its other duties and functions;

m. Gathers and disseminates 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.

SECTION 26. Function of the Gender and Development Resource and Coordinating Office (GAD-RCO). – The Gender and Development Resource and Coordinating Office is responsible for providing technical and administrative support to the GAD Council in implementing this Ordinance as mandated under Executive Order No. 16, 2001 and established under the Office of the City Mayor in April 2002. The GAD – RCO shall have the following functions to ensure effective and consistent implementation of the provisions of this Ordinance.

a. Acts as a Secretariat for the City GAD Council and will provide administrative, operational, and coordinative support to the body, including document GAD Council meeting proceedings;

b. Assist the Council and the Executive in the monitoring of GAD Plans and PPAs from the barangay to the City department/ office level;

c. Assist the Council in capacity building activities for GAD mainstreaming such as GAD/gender sensitivity orientation, gender-responsive planning and budgeting, gender diagnosis of programs/projects, and gender based information system;

d. Assist the Council in information dissemination and awareness building and in the production of information – education-communication tools such as regular publication, research and monitoring reports, city gender profiling, advocacy materials, audio visuals; as well as in the identification and maintenance of resource persons and trainors for a GAD speakers bureau for the city;

e. Assist the GAD Council in establishing and maintaining a gender responsive knowledge center/databank;

f. Assist in etablishing a GAD Focal Point mechanism in each department within the City government and in barangays for better coordination and monitoring;

g. Facilitates the holding of women's assemblies for consultation of issues; and for the registration and election of women NGO/PO representatives to the GAD Council;

h. Undertakes all other work required for the effective and efficient discharge of the Council functions.

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

SECTION 27. Local Monitoring Board for Violence in Media. – A local monitoring board for movie, print, broadcast, and multi-media, shall be set up to classify, censure, prohibit or regulate the exhibition of materials in the City degrading women. The Board's function shall also extend to video shops, electronic communication, cable television, books and other forms of audio visual channels or instruments.

SECTION 28. Creation of Women and Children's Desk (WCD) and Appointment of WCD Officer. – The City government shall create the WCD and appoint a WCD Officer in all police stations in Quezon City specifically to handle women and children's concerns. Complaints filed by women on battering and other forms of abuse against them shall be handled by female officers in the local police force who shall undergo special courses on handling cases affecting abused women.

SECTION 29. Creation of medico-Legal Desk for Women and Children at the City Social Services and Development Department. – There shall be a medico-legal desks for women at the City Social Services and Development Department to cater to specific women problems and concerns.

SECTION 30. Community Education on Trafficking. – The barangay GAD Committees shall organize massive information campaigns and continuing education on trafficking of women and children; monitor trafficking activities in their respective communities; and develop a system for reporting or referral of traffic victims to appropriate agencies.

SECTION 31. Special Body to Investigate Cases of Violations of Women Under Police or Military Detention. – No woman or girl child shall be kept by any PNP/military personnel in police/military detachment/checkpoint or any analogous quarter for purposes of comfort nor be deprived of basic social service in detention. Violation shall be penalized through summary dismissal proceedings of the local AFP/PNP and/or at the discretion of the local Police Law Enforcement Board.

SECTION 32. Generating Sex-Disaggregated Data and Undertaking Gender Analysis. – It shall be the main function of all Barangay GAD Committees to periodically generate sex-disaggregated data on their respective communites. This shall all be the duty of all concerned city departments and offices and partner NGOs and POs to enable them to provide situational analysis for better formulation of the City GAD Plan.

SECTION 33. Guidelines for Determining Gender Biases. – The City government, through the City Personnel Department shall issue guidelines to determine gender biases in City government departments and instrumentalities, schools, and private offices, commercial/industrial establishments, etc. and promote the prevention of these biases.

SECTION 34. Creation of a City Tripartite Committee to Monitor the Implementation of Labor Standards. – There shall be a Tripartite Committee composed of representatives from the City Industrial Relations Office, organized labor and association of employers. The Tripartite Committee shall be tasked to:

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

d. Formulate rules/mechanics for monitoring labor standards; and
e. Conduct regular labor standards orientation for the city's women workers in coordination with the City GAD Resource and Coordinating Office.

SECTION 35. Implementing Rules and Regulations.- Upon effectivity of this Ordinance, a Drafting Committee to formulate the Implementing Rules and Regulations (IRR) necessary to carry out the provisions of this Ordinance shall be convened by the City GAD Council 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 GAD Resource and Coordinating Office, City Council on Women and Family Affairs; and the following NGOs/POs: Lady Barangay Captains Association, Kababaihan para sa Bayan, KALAKASAN, Woman Touch Media, TUCP-DAWN, Sentro ng Manggagawang Pilipina, Kababaihan ng Capri, and LEAP/LAGABLAB.

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 Points of City departments and offices, NGOs/POs, 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.

SECTION 36. Compliance Report. – Within six (6) months from the effectivity of this Code and every six (6) months thereafter, all City Government department and instrumentalities, shall submit a report to the City Council on their compliance with this Code.

SECTION 37. Appropriation. – For the effective implementation of this Ordinance, the City Government shall appropriate five percent(5%) of the City's Annual Development Fund in pursuance of RA 7192 and DILG-DBM-NCRFW Circular of 2001.

CHAPTER III
Final Provisions

SECTION 38. Separability Clause. – If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 39. Effectivity Clause. – This Ordinance shall take effect upon approval and after publication in the newspaper of general circulation.

ENACTED: February 3, 2004.

JULIAN M.L. COSETENG
Assistant Minority Floor Leader
Acting Presiding Officer

ATTESTED:

EUGENIO V. JURILLA
City Council Secretary

APPROVED: APR 0 1 2004

FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on February 3, 2004 was finally PASSED on Third Reading by the City Council on February 17, 2004.

EUGENIO V. JURILLA
City Council Secretary