



Republic of the Philippines  
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 8 S. 2016

AN ORDINANCE AMENDING ORDINANCE NO. 20 S. 2011, AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF BATANGAS TO ESTABLISH BREASTFEEDING CORNER/ROOM IN THEIR OFFICE/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF

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**WHEREAS**, Republic Act No. 10028 also known as Expanded Breastfeeding Promotions Act aims to encourage breastfeeding and provide specific measures to enable working mothers to continue expressing their milk and/or breastfeeding their infants or young children;

**WHEREAS**, Republic Act No. 10028 requires the setting up of lactation stations and provision of lactation breaks in workplaces;

**WHEREAS**, DOH Administrative Order (AO) 2005-0014 or the "National Policies on Infant and Young Child Feeding" which is supported by the National Plan of Action for Infant and Young Child Feeding, provides guidelines for improving the survival of infants and young children by improving their nutritional status, growth and development through optimal feeding anchored on exclusive breastfeeding, early initiation within one hour after birth, provision of timely, adequate and safe complementary foods at six months while continuing breastfeeding up to two years and beyond;

**WHEREAS**, there is a need to amend Ordinance No. 20 S. 2011 in order to ensure the effective enforcement of Republic Act No.10028 and Ordinance No. 20 S. 2011;

**NOW THEREFORE**, be it ordained as it is hereby ordained by the Sangguniang Panlungsod in session assembled, to amend as it hereby amends the Batangas City Ordinance No. 20, Series of 2011, to wit:

**SECTION 1. AMENDMENT** - certain provisions of Ordinance No. 20 S. of 2011 shall be amended as follows:



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a. **Section 3. Scope and Coverage** - This ordinance shall apply to all government offices and agencies and private establishments and institutions operating within the territorial jurisdiction of the City of Batangas.

b. **Section 7. Establishment of Lactation Station**

7(a) **Facility** - It shall be the duty of the employer to provide a breastfeeding room prescribed by the monitoring team, and in accordance with the provisions of the Labor Code for women workers/employees, to allow mothers to express their milk for their infants at home. It shall also be the duty of the employer to allow mothers or customers transacting business in their establishment to breastfeed their babies in their facility.

c. **Section 13. Rules and Regulations**

13(a) **Mechanism for Enforcement** - Compliance with this ordinance shall be a requirement for the granting and/or renewal of business licenses and permits. For this purpose, the Business Permits and Licensing Office shall deny new or renewal applications or business licenses and permits without the certification by the City Health Office certifying compliance with this ordinance.

13(b) **Monitoring** - The City Health Office and the Business Permits and Licensing Office are hereby authorized to conduct regular visitation and inspection of the breastfeeding room to ensure faithful compliance of this ordinance.

In coordination with other agencies involved in the implementation of the Ordinance, the City Health Office shall adapt such appropriate monitoring guidelines used by the national, regional and provincial levels. It shall likewise provide regular training, on



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monitor and compliance and enforcement, and violations for all persons engaged in or volunteering to help in the monitoring and implementation of the Ordinance. The City Health Office may request for the assistance of non-government organizations, civil society and other concerned agencies in order to better monitor the implementation of the rules.

The City Government shall create a Monitoring Team composed of the following:

- a. City Health Office
- b. Business Permit and Licensing Office
- c. Non-Government Organization
- d. Civil Society such as BATMC , Kalipi and Civic Organizations
- e. Office of the City Engineer

Generally the monitoring team shall prescribe the list of establishment or institutions required to provide breastfeeding station/corner as well as the number of breastfeeding station/corner needed per area or per establishment.

Other functions of monitoring team includes:

- a. Monitor compliance as well as problems encountered in the implementation of the Ordinance.
- b. Review /act on reports of violations of the provisions of the Ordinance.
- c. Recommend sanctions or punitive actions for the violations of the Ordinance.
- d. Submit regular reports on the status of the implementation of the Ordinance.



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**d. Section 14. Penalty for Violation of this Ordinance**

Any person, association, partnership or corporation or any health institution which shall violate any of the provisions of this Ordinance be subject to the following penalties:

First (1<sup>st</sup>) Offense- Warning

Second (2<sup>nd</sup>) Offense - Fine of Five Thousand Pesos (P5,000).


Third (3<sup>rd</sup>) Offense- Fine of Five Thousand Pesos (P5,000) and revocation or cancellation of business permit or license to operate.

**SECTION 2. REPEALING CLAUSE** - All provisions of local ordinances, orders, resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

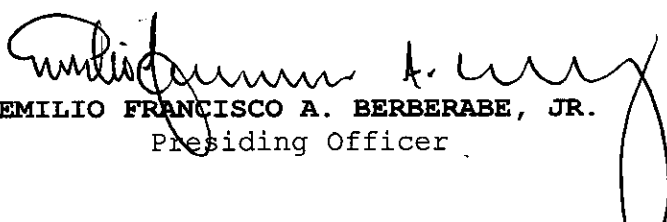
**SECTION 3. SEPARABILITY CLAUSE** - If for any reason any part of this ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 4. EFFECTIVITY** - This ordinance shall take effect upon approval of the City Mayor and publication in a newspaper of general circulation in the City of Batangas.


**ENACTED** by the Sangguniang Panlungsod this 21<sup>st</sup> day of March, 2016.

  
ATTY. OLIVA D. TELEGATOS  
Secretary  
Sangguniang Panlungsod

ATTESTED:

  
EMILIO FRANCISCO A. BERBERABE, JR.  
Presiding Officer

APPROVED:

  
EDUARDO B. DIMACUHA  
City Mayor  
Date Approved: June 15, 2016