



Republic of the Philippines  
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

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ORDINANCE NO. 5 S. 2022

AN ORDINANCE PROVIDING FOR PROTECTION AGAINST GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORK PLACES AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

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AUTHOR : COUN. NELSON J. CHAVEZ  
CO-AUTHORS : ALL COUNCILORS

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**WHEREAS**, declared in the 1987 Constitution is the policy of the State to value the dignity of every human person and guarantee full respect for human rights and the promotion of fundamental equality before the law of women and men;

**WHEREAS**, the General Welfare Clause of the Local Government Code of 1991 authorizes the enactment of ordinances which shall enhance, improve public morals, maintain peace and order and preserve the comfort and convenience of the inhabitants;

**WHEREAS**, Republic Act No. 11313 defines and penalizes gender-based sexual harassment in streets, public spaces, online, work places and educational or training institutions, and requires local government units to pass an ordinance which shall localize the applicability of the said law;

**WHEREAS**, the people of Batangas City have a right to live in the atmosphere of equality, security, and safety;

**NOW THEREFORE, BE IT ENACTED** by the Sangguniang Panlungsod in session assembled:

**SECTION 1. SHORT TITLE.** - This Ordinance shall be known and cited as the "Safe Spaces Ordinance of Batangas City".

**SECTION 2. COVERAGE.** - This Ordinance shall cover all persons residing or sojourning within the territorial jurisdiction of Batangas City.

**SECTION 3. DEFINITION OF TERMS.** - Whenever used in this Ordinance, terms shall have the following meaning adopted from RA 11313:

(a) **Catcalling** refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, transphobic, homophobic, and sexist slurs;



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**Continuation of Ordinance No. 5 S. 2022**

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(b) **Employee** refers to a person, who in exchange for remuneration, agrees to perform specified services for another person, whether natural or juridical, and whether private or public, who exercises fundamental control over the work, regardless of the term or duration of agreement: *Provided*, That for the purposes of this ordinance, a person who is detailed to an entity under a subcontracting or secondment agreement shall be considered an employee;

(c) **Employer** refers to a person who exercises control over an employee: *Provided*, That for the purpose of this Ordinance, the status or conditions of the latter's employment or engagement shall be disregarded;

(d) **Gender** refers to a set of socially ascribed characteristics, norms, roles, attitudes, values and expectations identifying the social behavior of men and women, and the relations between them;

(e) **Gender-based online sexual harassment** refers to an online conduct targeted at a particular person that causes or likely to cause another mental, emotional or psychological distress, and fear of personal safety, sexual harassment acts including unwanted sexual remarks and comments, threats, uploading or sharing of one's photos without consent, video and audio recordings, cyberstalking and online identity theft;

(f) **Gender identity and/or expression** refers to the personal sense of identity as characterized, among others, by manner of clothing, inclinations, and behavior in relation to masculine or feminine conventions. A person may have a male or female identity with physiological characteristics of the opposite sex in which case this person is considered transgender;

(g) **Public spaces** refer to streets and alleys, public parks, schools, buildings, malls, bars, restaurants, transportation terminals, public markets, spaces used as evacuation centers, government offices, public utility vehicles as well as private



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vehicles covered by app-based transport network services and other recreational spaces such as, but not limited to, cinema halls, theaters and spas; and

(h) ***Stalking*** refers to conduct directed at a person involving the repeated visual or physical proximity, non-consensual communication, or a combination thereof that cause or will likely cause a person to fear for one's own safety or the safety of others, or to suffer emotional distress.

**SECTION 4. PROHIBITING GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES.** - Gender-based sexual harassment in streets and public spaces is prohibited in the territorial jurisdiction of Batangas City, which includes any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks, catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic, homophobic and sexist slurs, persistent uninvited comments or gestures on a person's appearance, relentless requests for personal details, statement of sexual comments and suggestions, public masturbation or flashing of private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces such as alleys, roads, sidewalks, parks, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

**SECTION 5. DUTIES OF OWNERS OF PRIVATELY-OWNED PLACES OPEN TO THE PUBLIC.** - Owners of privately-owned places open to the public such as restaurants and cafes, bars and clubs, resorts and water parks, hotels, cinemas, malls, other similar privately-owned places open to the public shall:

(a) Adopt a zero-tolerance policy against gender-based sexual harassment;

(b) Provide assistance to victims of gender-based sexual harassment by coordinating with local police authorities



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immediately after gender-based sexual harassment is reported;

(c) Make CCTV footage available when ordered by the court;

(d) Provide a safe gender-sensitive environment to encourage victims to report gender-based sexual harassment at the first instance;

(e) Install in their business establishments clearly-visible warning signs against gender-based public spaces sexual harassment, including the anti-sexual harassment hotline number in bold letters;

(f) Designate at least one (1) anti-sexual harassment officer to receive gender-based sexual harassment complaints; and

(g) Deputize security guards in their establishment to apprehend perpetrators of gender-based sexual harassment caught in *flagrante delicto* and required such security guards to immediately coordinate with local authorities.

**SECTION 6. PROHIBITING GENDER-BASED SEXUAL HARASSMENT IN PUBLIC UTILITY VEHICLES.** - Gender-based sexual harassment in public utility vehicles is prohibited in the territorial jurisdiction of Batangas City. Where the perpetrator is the driver of the vehicle, the offense shall constitute a breach of contract of carriage. The owner or operator of the vehicle shall be solidarity liable for the offenses of the driver who committed the offense, unless the presumption of negligence in his selection and supervision of employees is negated.

**SECTION 7. GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES COMMITTED BY MINORS.** - In case the offense is committed by a minor, the Office of City Social Welfare and Development (CSWD) shall take necessary disciplinary measures as provided for under the Batangas City Gender and Development Code.

**SECTION 8. PROHIBITING GENDER-BASED ONLINE SEXUAL HARASSMENT.** - Gender-based online sexual harassment is prohibited



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in the territorial jurisdiction of Batangas City. Gender-based sexual harassment is committed online where the act 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, any 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.

**SECTION 9. DUTIES OF THE PNP FOR GENDER-BASED ONLINE SEXUAL HARASSMENT.** - The Batangas City PNP shall receive complaints of gender-based online sexual harassment, and after due investigation, file the appropriate information or complaint before the Office of the City Prosecutor, and apprehend perpetrators, whenever necessary.

**SECTION 10. PROHIBITING GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE.** - Gender-based sexual harassment in the workplace is prohibited within the territorial jurisdiction of Batangas City. Gender-based sexual harassment in the workplace includes the following:

(a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;

(b) A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome,



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unreasonable, and offensive to the recipient, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems;

(c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or humiliating environment for the recipient: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee; and

(d) Information and communication system refers to a system for generating, sending, receiving, storing or otherwise processing electronic data messages or electronic documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.

**SECTION 11. DUTIES OF EMPLOYERS.** - Employers or other persons of authority, influence or moral ascendancy in a workplace shall have the duty to prevent, deter, or punish the performance of acts of gender-based sexual harassment in the workplace. Towards this end, the employer or person of authority, influence or moral ascendancy shall:

(a) Disseminate or post in a conspicuous place a copy of this Ordinance for the information of all persons in the workplace;

(b) Provide measures to prevent gender-based sexual harassment in the workplace, such as the conduct of anti-sexual harassment seminars;

(c) Create an independent internal mechanism or a committee on decorum and investigation to investigate and address complaints of gender-based sexual harassment which shall:



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- (1) Adequately represent the management, the employees from the supervisory rank, the rank-and-file employees, and the union, if any;
  - (2) Designate a woman as its head and not less than half of its members should be women;
  - (3) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
  - (4) Investigate and decide on the complaints within ten (10) days or less upon receipt thereof;
  - (5) Observe due process;
  - (6) Protect the complainant from retaliation; and
  - (7) Guarantee confidentiality to the greatest extent possible;
- (d) Provide and disseminate, in consultation with all persons in the workplace, a code of conduct or workplace policy which shall expressly reiterate the prohibition on gender-based sexual harassment and set administrative penalties.

**SECTION 12. DUTIES OF EMPLOYEES AND CO-WORKERS.** - Employees and co-workers shall have the duty to refrain from, and discourage, committing acts of gender-based sexual harassment in the workplace, provide emotional or social support to fellow employees, co-workers, colleagues or peers who are victims of gender-based sexual harassment, and report acts of gender-based sexual harassment witnessed in the workplace.

**SECTION 13. PROHIBITING GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS.** - Gender-based sexual harassment in educational and training institutions within the territorial jurisdiction of Batangas City is prohibited.



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**SECTION 14. DUTIES OF HEADS, ADMINISTRATORS, OR OFFICERS OF EDUCATIONAL AND TRAINING INSTITUTIONS.** - All schools in Batangas City, whether public or private, shall designate an officer-in-charge to receive complaints regarding violations of this Ordinance, and shall ensure that the victims are provided with a gender-sensitive environment that is both respectful to the victims' needs and conducive to truth-telling.

Every school must adopt and publish grievance procedures to facilitate the filing of complaints by students and faculty members. Even if an individual does not want to file a complaint or does not request that the school take any action on behalf of a student or faculty member and school authorities have knowledge or reasonably know about a possible or impending act of gender-based sexual harassment or sexual violence, the school should promptly investigate to determine the veracity of such information or knowledge and the circumstances under which the act of gender-based sexual harassment or sexual violence were committed, and take appropriate steps to resolve the situation. If a school knows or reasonably should know about acts of gender-based sexual harassment or sexual violence being committed that creates a hostile environment, the school must take immediate action to eliminate the same acts, prevent their recurrence, and address their effects.

The educational or training institution shall create its own independent internal mechanism to investigate and address complaints of gender-based sexual harassment which shall :

(1) Adequately represent the school administration, the trainers, instructors, professors or coaches and students or trainees, students and parents, as the case may be;

(2) Designate a woman as its head and not less than half of its members should be women;

(3) Ensure equal representation of persons of diverse sexual orientation, identity and/or expression, in the CODI as far as practicable;



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- (4) Be composed of members who should be impartial and not connected or related to the alleged perpetrator;
- (5) Investigate and decide on complaints within ten (10) days or less upon receipt, thereof;
- (6) Observe due process;
- (7) Protect the complainant from retaliation; and
- (8) Guarantee confidentiality to the greatest extent possible.

**SECTION 15. REMEDIES AND PSYCHOLOGICAL COUNSELLING.** - A victim of gender-based street, public spaces or online sexual harassment may avail of appropriate remedies as provided for under the law as well as psychological counselling services with the aid of the Office of City Social Welfare and Development, in coordination with the City Health Office, and the Batangas City Gender and Development Board. Any fees to be charged in the course of a victim's availment of such remedies or psychological counselling services shall be borne by the perpetrator.

**SECTION 16. EXEMPTIONS.** - Acts that are legitimate expressions of indigenous culture and tradition, as well as breastfeeding in public shall not be penalized.

**SECTION 17. PENALTIES.** - Any person found violating any of the prohibitions provided in this Ordinance shall suffer the penalty of fine in the amount of Five Thousand Pesos (P5,000.00), or imprisonment of not more than six (6) months, or both fine and imprisonment at the discretion of the Court.

**SECTION 18. ADMINISTRATIVE SANCTIONS.** - The imposition of the penalties provided in Section 17 hereof is without prejudice to the following administrative sanctions:

Where the offender is a government official or employee, he may be subjected to administrative disciplinary action in



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accordance with the Civil Service Law and related laws governing government officials and employees;

Where the act constituting sexual harassment is perpetrated or aided by, or with the knowledge of, the owner of privately-owned places open to the public, the business permit or Mayor's Permit granted to operate the privately-owned establishment may be suspended or revoked;

Where the act constituting sexual harassment in public utility vehicle is committed by a tricycle driver or operator, the tricycle franchise may be suspended or revoked by the Batangas City TFRC;

Where the act constituting sexual harassment in the workplace is committed by the employer or other persons of authority, influence or moral ascendancy in the workplace, the business permit or Mayor's Permit granted to operate the workplace may be suspended or revoked;

Where the act constituting sexual harassment in the workplace is committed by the head, administrator, or officer of educational and training institution, the appropriate administrative case against him or her may be filed before the Department of Education, Commission on Higher Education, Professional Regulation Commission, or before any appropriate government agency.

**SECTION 19. APPROPRIATIONS.** - Such amounts as may be necessary for the effective implementation of this Ordinance shall be appropriated in the annual or supplemental budget of the Batangas City Government.

**SECTION 20. SEPARABILITY CLAUSE.** - If for any reason or reasons, 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 21. REPEALING CLAUSE.** - All provisions of ordinances, executive orders, or resolutions inconsistent herewith are hereby repealed and/or modified accordingly.



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**SECTION 22. EFFECTIVITY.** - This Ordinance shall take effect after approval by the City Mayor and completion of publication in a newspaper of general circulation in the Cities and Province of Batangas.

**ENACTED** by the Sangguniang Panlungsod on this 11<sup>th</sup> day of April, 2022.

  
ATTY. OLIVA D. TELEGATOS  
Secretary

ATTESTED:

  
ALYSSA RENEE A. CRUZ  
Acting Presiding Officer

APPROVED:

  
BEVERLEY ROSE A. DIMACUHA  
City Mayor

Date Approved: APR 19 2022

**REPUBLIC OF THE PHILIPPINES  
BATANGAS CITY**

**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE  
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY  
ON APRIL 11, 2022 VIA ZOOM APPLICATION**

**PRESENT:**

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Alyssa Renee A. Cruz,	Acting Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Nestor E. Dimacuha,	"
Hon. Karlos Emmanuel A. Buted,	"
Hon. Gerardo A. Dela Roca,	"
Hon. Oliver Z. Macatangay,	"
Hon. Nelson J. Chavez,	"
Hon. Julian B. Villena,	"
Hon. Michael Thomas T. Pastor,	"
Hon. Isidra "Ched" M. Atienza,	"
Hon. Maria Aleth A. Lazarte,	"
Hon. Lorenzo A. Gamboa, Jr.,	"
Hon. Angelito "Dondon" A. Dimacuha,	ABC-Rep.
Hon. Marjorie A. Manalo,	SK-Fed. Pres.

"On motion of Councilor Dela Roca seconded by Councilor Villena, the following Resolution was Adopted:

**RESOLUTION NO. 82 S. 2022**

**ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND  
REGULATIONS AND APPROVING ON SECOND AND FINAL READING  
THE SAFE SPACES ORDINANCE OF BATANGAS CITY**

**RESOLVED**, to adopt the report of the Committee on Laws, Rules and Regulations and the recommendations therein on the ordinance entitled: "An Ordinance Providing for Protection Against Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Work Places and Educational or Training Institutions, Providing Penalties for Violation Thereof and for Other Purposes".

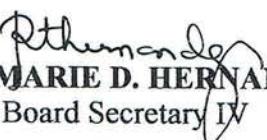
**RESOLVED FURTHER**, to approve the above-mentioned ordinance on its Second and Final Reading.

**UNANIMOUSLY APPROVED ."**

**Continuation of Resolution No. 82 S. 2022****ADOPTING THE REPORT OF THE COMMITTEE ON LAWS, RULES AND  
REGULATIONS AND APPROVING ON SECOND AND FINAL READING  
THE SAFE SPACES ORDINANCE OF BATANGAS CITY**

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I hereby certify that the foregoing Resolution No. 82 S. 2022 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on April 11, 2022.

  
**ROSEMARIE D. HERNANDEZ**  
Board Secretary IV

**NOTED:**

  
**ATTY. OLIVA D. TELEGATOS**  
Secretary

**ATTESTED:**

**ATTY. ALYSSA RENEE A. CRUZ**  
Acting Presiding Officer  


ODT/RDH/ystingchuy..

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**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**C O M M I T T E E   R E P O R T**

**TO: THE HONORABLE PRESIDING OFFICER AND  
MEMBERS OF THE SANGGUNIANG PANLUNGSOD**

**SUBMITTED BY: COMMITTEE ON LAWS, RULES AND REGULATIONS**

**SUBJECT: PROPOSED ORDINANCE ENTITLED “AN ORDINANCE PROVIDING FOR  
PROTECTION AGAINST GENDER-BASED SEXUAL HARASSMENT IN  
STREETS, PUBLIC SPACES, ONLINE, WORK PLACES AND EDUCATIONAL  
OR TRAINING INSTITUTIONS, PROVIDING PENALTIES FOR VIOLATION  
THEREOF AND FOR OTHER PURPOSES”**

Referred to the Committee on Laws, Rules and Regulations is the proposed ordinance entitled: “Providing for Protection Against Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Work Places and Educational or Training Institutions, Providing Penalties for Violation Thereof and For Other Purposes” on May 18, 2021.

The Committee held a hearing on July 6, 2021. In attendance were the following: Councilor Cruz, Chairperson; Councilor Dela Roca, Councilor Chavez, Councilor Macatangay and Councilor Villena, Committee members. Also present were Councilors Montalbo, Nestor Dimacuha, Buted, Pastor, Atienza, Lazarte, Gamboa, ABC President Angelito “Dondon” Dimacuha and SK Federation President Manalo and the Vice Mayor Emilio Francisco Berberabe, Jr. Also present were the Chief of CSWD, Mrs. Mila Espaňola; School Superintendent, Dr. Felizardo Bolaños; Batangas City Police Chief, P/Col Gerry M. Laylo; and from WCPI-BCPO PEMs Nena B. Garcia.

During the Committee Hearing, all the provisions of the proposed ordinance were meticulously deliberated, explained and clarified.

**RECOMMENDATION:**

After refinement of the provisions of the proposed ordinance, the Committee hereby recommends:

1. Adoption of this Committee Report.
2. Approval of the proposed ordinance entitled “An Ordinance Providing For Protection Against Gender-Based Sexual Harassment In Streets, Public Spaces, Online, Work Places and Educational or Training Institutions, Providing Penalties For Violation Thereof and For Other Purposes” for Second and Final Reading in today’s session.

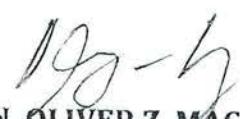
**Respectfully Submitted, April 11, 2022.**

COMMITTEE ON LAWS, RULES AND REGULATIONS

COUN. ALYSSA RENEE A. CRUZ  
Chairman

COUN. GERARDO A. DELA ROCA  
Member

  
COUN. JULIAN B. VILLENA  
Member

  
COUN. OLIVER Z. MACATANGAY  
Member

  
COUN. NELSON J. CHAVEZ  
Member

REPUBLIC OF THE PHILIPPINES  
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JOURNAL OF THE COMMITTEE HEARING VIA ZOOM CONDUCTED BY THE  
COMMITTEE ON LAWS, RULES AND REGULATIONS CHAIRED BY  
COUNCILOR ALYSSA CRUZ ATIENZA HELD ON  
JULY 6, 2021 AT 11:25 IN THE MORNING.

**Subject: Proposed Ordinance Providing For Protection Against Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Work Places and Educational or Training Institutions, Providing Penalties for Violation Thereof and For Other Purposes.**

MGA NAGSIDALO:

Vice Mayor Emilio Francisco A. Berberabe	
Coun. Alyssa Cruz Atienza	Committee Chairperson
Coun. Nelson Chavez	Member - Laws
Coun. Oliver Macatangay	Member - Laws
Coun. Aileen Grace Montalbo	
Coun. Gerardo dela Roca	
Coun. Julian Villena	
Coun. Nestor Dimacuha	
Coun. Karlos Emmanuel Buted	
Coun. Michael Thomas Pastor	
Coun. Isidra Atienza	
Coun. Ma. Aleth Lazarte	
Coun. Lorenzo Gamboa	
Coun. Angelito Donadon Dimacuha	
Coun. Marjorie Manalo	

MGA PANAUHIN

Ms. Mila Espanola	Chief – DSWD
Dr. Felizardo Bolanos	School Supt. Dep. Ed.
PICol Gerry Malibiran Laylo	Chief – BCPO
PEMS Nena B. Garcia	WCPI - BCPO

ormal na sinimulan ang pagdinig sa ganap na ika 11:25 ng umaga sa pangunguna ng Tagapangulo ng Committee on Laws, Rules and Regulations. Ipinaliwanag ng Tagapangulo ang kahalagahan ng gaganaping pagdinig. Sa

pagsisimula, ipinakilala ng Tagapangulo ang mga nagsidalo, kasama na ang mga panauhin.

CHAIR: Ang next topic po natin ay Proposed Ordinance for Protection Against Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Work Places and Educational Or Training Institutions, Providing for Violation Thereof and For Other Purposes. Ito po ay authored by Councilor Nelson Chavez. May we hear from Councilor Nelson Chavez?

COUN. NELSON CHAVEZ: Magandang umaga po sa ating lahat. Madam Chair ito po ay ayon sa ating Anti-Bastos Law. Protection para sa ating mga mamamayan dito sa Batangas City. Nandiyan na po ba si Madam Mila Espanola?

CHAIR: Wala pa po. Nandito po at kasama natin ngayon ay from the PNP Batangas City Station, nandito rin po ang ating Dep. Ed. School Supt. Dr. Felizardo Bolanos. Inaantay lang natin si Mam Mila Espanola. Habang wala pa po si Mam Mila, any comments po, I think nabigyan naman po kayo ng copy.

COUN. ANGELITO DONDON DIMACUHA: Madam Chair . . .

CHAIR: Yes po, ABC President.

COUN. ANGELITO DONDON DIMACUHA: Madam Chair, question po ako sa ating proponent ng ating ordinance. Ang tanong ko lang po ay ano po kaya yong nagbunsod sa kanya na sumulat ng ganitong klaseng ordinansa. Kasi po ay maraming meaning yong sexual harassment. Ano po yong talagang nagbunsod o tumulak sa kanya na magpasa ng ganitong ordinansa. Ano po ang nangyayaring kalimitang sexual harassment? Siya ba ay biktima? Is it based from experience or talaga po bang ganito na kabastos ang ating mga kababayan that we should really consider passing this ordinance. Although this is a requirement talaga at ito ay naging trend at ito po ay nag-trending itong sexual harassment, I think it was the time of the late president Noynoy Aquino na yong ating mga Women's Group ay talagang they are crying foul regarding some or sabihin nating immoral na nangyayari sa mga kababaihan. So, ano ba yong mga example sexual harassment na nangyayari dito sa Lungsod ng Batangas?

CHAIR: Thank you ABC President, Councilor Dondon. Please answer Councilor Nelson Chavez.

CCOUN. NELSON CHAVEZ: Yes po. Good morning po. Ito po ay para sa protection ng mga . . . . hindi naman po ganong ka-grabe ang nangyayaring harassment dito sa atin sa Lungsod ng Batangas. Pero kalimitan po ay maraming kasu na nangyayari pero ito ay laging sa bara-barangay nakakarating na kalimitan ay hindi naaayos sa barangay. Kaya po tayo gumawa ng ganitong ordinansa ay para in case na may nangyayaring harassment sa isang tao ay pwede nang idirekta ang kasu dito sa ating kapulisan.

COUN. ANGELITO DONDON DIMACUHA: Madam Chair. . .

CHAIR: Yes po, ABC. . .

COUN. ANGELITO DONDON DIMACUHA: Yon pong sexual harassment, kapag sinabi po bang sexual harassment ay papaano pong masasabi na ang isang tao ay nag sexually harassed ng isang tao? Or does it pertains only to women? Ang lalake po ba ay pwede ring ma-sexual harassed ng babae. Wala lang po akong hawak na ordinansang ngayon. Pero dito po sa ordinansang ito ay ano po iyong activities na made-define natin as sexual harassment.

Like for example po, iyong panghihipo, definitely sexual harassment or acts of lasciviousness yon. Iyong beso-beso, kung ako po ba ay nakipag-beso-beso ng walang pahintulot, ay paano po yon. . . iyong may dumaang babae na sinabihan ko ng "Wow Sexy", ano po ba yon? Ano po ba yong mga activities na masasabing sexual harassment?

CHAIR: Councilor Nelson please answer.

COUN. NELSON CHAVEZ: Ito po ba ay maraming klaseng nangyayari at tulad po ng sinabi ninyo na halimbawa ay dadaan ka at ikaw ay sisipulan o kung anomang gagawin na para sa yo ay ito ay pangbabastos, ito po ay malimit nangyayari lalo na sa mga tambay na nagiintay lamang ng mababastos. Ito ay napakasama lalo para sa isang babae na may maayos na trabaho. At iyan ay masama pong tingnan kung ito ay mangyayari at baka ito ay tularan ng ibang kabataan. Ito naman pong mga nanghihipo sa mga maseselang parte ng mga babae, itong mga babaeng ito ang dapat na magreklamo dahil ito ang ginawan ng harassment.

COUN. ANGELITO DIMACUHA: Madam Chair. . .

CHAIR: Yes pop, ABC President.

COUN. ANGELITO DIMACUHA: Madam Chair, does these mentioned activities pertain only or apply only to women? Sa babae lang po ba ito o kahit sino or anong gender ay applicable? Halimbawa po, ako ay hinipuan ng babae, pwede ko po ba siyang idemandang sexual harassment?

COUN. NELSON CHAVEZ: Siguro naman ay kapag lalake ang hinipuan ng babae ay wala nang maghabla.

COUN. ANGELITO DIMACUHA: Ay paano po kung bakla sng nanghihipo o bakla ang binastos? Kasama rin po ba dito yong. . . I am sorry for the term its politically incorrect. . . paano po iyong member of the third gender? Does this apply to the member of the third gender?

COUN. NELSON CHAVEZ: Tama po dahil itong ating mgha third gender ay kalimitang ito ang siyang nakakaranas ng mga pambabastos. Kasama po ito sa ordinansang ito.

COUN. ANGELITO DIMACUHA: Okay po, kasama, yes. Salamat po.

COUN. GERARDO DELA ROCA: Madam Chair . . .

CHAIR: Yes po, Councilor Gerry.

COUN. GERARDO DELA ROCA: Maraming salamat po. Naghahanap po ako dito sa ordinansa ni Kgg. Nelson Chavez iyong definition of terms. Kasi po dito sa Gender Based Sexual Harassment, Section IV ay may nabanggit na cat calling, wolf whistling, ano po ba ang ibig sabihin ng cat calling at saka wolf whistling? Nabanggit po na ito ay considered an act of sexual harassment. So, hindi po kaya kailangan ang definition of terms para maging malinaw sa ating mga kababayan. Madam Chair, pwede pong matanong natin ang ating proponent ang tungkol dito?

CHAIR: Konsehal Nelson Chavez please answer po.

COUN. NELSON CHAVEZ: Tungkol po sa pagsipol, iba naming klase yong kapag nasipol na wala kang pinatatamaan, lalo na kung may mga dumadaang kababaihan. Iba po yong sipol na may dating ng kabastusan sa ating mga kababaihan.

COUN. GERARDO DELA ROCA: Siguro po, I suggest na magkaroon ng isang section para sa definition of terms para maging malinaw sa ating mga kababayan kung ano talaga ang coverage nitong ating ordinansa kasi maaaring gumagawa na siya ng acts of lasciviousness pero hindi nya alam at hindi nya aware na ito pala ay mali na. Kapag po tayo ay may ganong section ay di naiipaliwanag nating maigi kung ano ang ibig sabihin ng bawat isang binabanggit.

COUN. ANGELITO DIMACUHA: Madam Chair, I believe doon sa sinabi ni Konsehal Gerry kasi po kung minsan sa observation ko lang ay iyong ibang mga babae . . . depende rin naman po sa kung sino ang sumisipol eh. Kapag po ang sumisipol ay hindi nila type, iyong naka-hubad baro at mukhang tambay ay kapag sinabing Wow Legs, ay pambabastos na. Pero kapag naka-bihis, medyo mukhang mayaman ang hitsura ay parang compliment naman ang dating sa kanila. So, paano po natin malalaman na iyong comment na sinabi o yong cat calling o yong wolf whistling ay may intention. Siguro po ay dapat dito ay nakasaad talaga na very specific with the intention of causing harassment. Kasi kung minsan ay ang mga babae naman kapag hindi mo pinansin ay sasabihing suplado ka. Pero ang tingin ko nga po ay depende yon sa natawag eh. Kapag po mukhang tambay at puro tattoo, mukhang adik, mukhang lasenggo ay kahit mamuri ay pambabastos na. Pero kapag medyo

pogi nga ay kilig na kilig naman. So, ang ibig sabihin po ay the reason why we have to really define or set the parameters here is that because for protection ng lalake, kasi I believe na dapat talaga ang babae ay iginagalang at may protection talaga. Pero para po maidemando o maihabla under the Ordinance on Sexual Harassment ay we should be very clear and define as what activities are to be included as sexual harassment.

Another example po, iyong sa mga employer at employee, halimbawa po ay ikaw ay boss o amo, tapos masy katulong kang babae, tapos may ipinagagawa ka na hindi naman kasama sa scope sa trabaho nya na ang kapalit ay tatanggaling sa trabaho o kaya ay ipro-promote sa trabaho, iyon ay sa tingin ko ay form of sexual harassment na dapat nakapaloob din sa ordinansang ito. Iyong mga "wag po kuya" , iyan ang mga scenario sa kasambahay, sa mga sekretarya, sa mga empleyado na mas mababa kaysa kanya in exchange of labor sa office o anoman, ay yan ay sexually harassed. Dito po ba sa ordinansang ito ay kasama ang mga activities na ito?

CHAIR: Councilor Nelson Chavez please answer po.

COUN. NELSON CHAVEZ: Okay po, noted po ang lahat ng inyong mga sinabi. Kaya nga po tayo ay narito sa committee hearing ay para po makuha ang inyong mga suggestions para maayos at maging magandang itong ating proposed ordinance na ito. Kaya po, kung ano ang inyong maisa-suggest para sa ikagaganda ng ordinansang ito, ay tulong tulong po tayo para ito ay ayusin .

CHAIR: Salamat po. Actually, ito po ay local implementation ng already approved RA 116. Ito po ay nai-refer din sa Committee niya para magkaroon tayo ng local implementation which is required don sa RA 11313. So, almost all the sections po ay copied from RA 11313 at kailangan lamang po natin na magkameron din ng local ordinance para meron tayong local implementation ditto sa Lungsod ng Batangas.

COUN. ANGELITO DIMACUHA: Madam Chair, I am aware of the Sexual Harassment Law, however, ang sabi ko nga po ay ako ay nagsa-suggest ng mga activities pa dahil ako po ay nakakaisip na ng mga bagay nabaka hindi included doon sa Republic Act na maiko-consider pa rin nating sexual harassment. Like for example, doon po sa Republic Act ay hindi naman po binanaggit iyong halimbawa ay nire-require mo ang iyong mga empleyado na mag mino-skirt, halimbawa ay mayroon kayong restaurang at nire-require ninyo na mag mini skirt ng sobrang igsi ang mga trabahador, I think its not included in the Republic Act which I think is should be included para naman maganda ang implementation natin ng local ordinance ay

gawin nating mas extensive.

CHAIR: Thank you po ABC President. We would like to recognize our DSWD Officer Mam Mila Espanola. Councilor Nestor Dimacuha you are now recognized.

MS. MILA ESPANOLA: Yes po, pasensiya na at medyo mahina ang aking link at hindi agad ako makapag open ng aking video.

CHAIR: Thank you po Mam Mila. Councilor Boy Dimacuha you are now recognized.

COUN. NESTOR DIMACUHA: I agree with the suggestions of ABC, however if you would review the proposed ordinance under Section 5, we can integrate the said suggestions. Idagdag natin dito sa naritong paragraph, nandito na po kasi yong mga precautionary measures para maiwsan iyong sinasabing mga harassment sa mga empleyado o katulong mo. So, idagdag na rin po natin iyon sa Section 5 ng sinasabing ordinansa. Thank you Madam Chair.

CHAIR: Thank you po Coun Boy. Councilor Oliver you are now recognized.

COUN. OLIVER MACATANGAY: Salamat po Madam Chair. Gusto ko lang pong itanong, ito po bang pinag-uusapan nating ordinance, wala lang po akong kopya, magkano po ba yong penalty at ilang buwan ang magiging parusa ang pagkakulong kung hindi siya makapagbayad ng penalty?

CHAIR: Under Section 17 po is 5,000.00 or imprisonment of not more than 6 months or both at the discretion of the court.

COUN. OLIVER MACATANGAY: Salamat po Madam Chair.

CHAIR: Any other comments po?

COUN. NELSON CHAVEZ: Madam Chair, siguro ay pwede nating hingan ng comments ang ating PNP kung ano pa ang pwede nilang idagdag dito sa ordinansa. Kung ano pa ang maisa-suggest nila dito sa ating ordinansa.

CHAIR: Our PNP is now recognized.

PLCOL GERRY MALIBIRAN LAYLO: Good morning po. We have here Ibibigay ko po ang mikropono ka Pol Master Sgt. Nena Garcia, she will explain to us.

POL. MASTER SGT. NENA B. GARCIA: Good morning po. Sa ngayon po, dito sa atin ay wala tayong hawak ng kasos on Sexual harassment. Ang meron lang po kami ngayon ay Acts of Lasciviousness, Rape at Sexual Abuse. Iyan po ang latest na kasong hawak namin ngayon. Nakikinig po kanina doon sa mga Bastos Law kasi po kapag kami ang natanggap ng kasos. Halimbawa, tungkol sa bastos law, dito po sa amin iyan ay pumapatak sa Unjust Vexation. Ang ginagawa naming ay inaalam

namin kung ano ang naramdaman ng biktima babae o ng complainant kapag sinabihan o hinawakan o hinipuan. Kung baga ay meron kaming classification kung saan papatak ang kas. Kung papatak siya ng Unjust Vexation o Acts of Lasciviousness o ng 7610. Bawat kas po ay may kanya kanyang element. Depende po yon sa naramdaman ng complainant. Kapag po ang naramdaman ay yong ikaw ay napahiya o nainsulto doon po namin ipinapatak sa Unjust Vexation. Kapag po nasa legal age na ay ang inilalagay namin sa Unjust Vexation. Pero kapag menor naman po ay Unjust Vexation in relation to 7610, iyon po ang ipina file naming kas. Kahit po doon sa Acts of Lasciviousness ay kung saan mataas ay doon po kami sa mataas na kas ang ipina-file naming. So, lagi po naming itinatanong kung ano ang naramdaman ng biktima at kung saang pasok na elements ay doon namin inilalagay

CHAIR: Councilor Gerry dela Roca ..

COUN. GERARDO DELA ROCA: Para po sa ating kaibigan sa PNP, papaano po natin ina-address, halimbawa . . . which is very uncommon na nangyayari dito sa Lungsod iyong mga cat calling, wolf whistling ay nagkakaroon pa ng habla tungkol dito. But if ever na magkaroon po ng mga ganong complaint, hindi po ba mahirap itong i-tackle since mahirap itong i-allege at dapat ay may mga videos na talagang siya kina-cat calling o wino-wolf whistling. Kanina po ay nai-suggest natin na magkaroon ng section for the definition of terms kasi nga po ay para sa ating mga kababayan na maging malinaw itong ating gagawing ordinance. Ang concern ko po ay hindi po ba mahirap i-tackle ang mga ganon if ever na magkakaroon.

COUN. NESTOR DIMACUHA: Madam Chair in relation dooin sa ini-raise ni Konsehal Gerry.

CHAIR: Councilor Boy you are now recognized.

COUN. NESTOR DIMACUHA: Ang pinag-uusapan po dito ngayon ay yon ngang may kaugnayan sa RA 11313. Ngayon ay nababanggit po ninyo na depende sa klase kung paano natin ide-declare at depende doon sa element kung saan babagsak or doon sa 7610, na parang nagkakaroon siya ng inconsistencies. Kasi pagdating doon sa exploitation, abuse . . . ang ibig kong sabihin lay kung sakali ho na itong law na ito ay maapruban ay hindi pa rin ito pwedeng gamitin at ibabase pa rin ito doon sa nangyari o naramdaman ng naging biktima. Iyon ho ang gusto naming malinawan. Siguro ay pwede rin tayong maglagay ng isang section na iuugnay natin sa 7610. Salamat po.

CHAIR: Thank you Councilor Boy. Sa PNP po, please answer po, Mam Nena.

POL. MASTER SGT. NENA B. GARCIA: Madam Chair kapag nagpa-file po kami ng kas po ay ia-assess po namin kung saan po talaga siya. Kung sa mababa po ay laging kakabit

ang 7610 na mataas na kaso. Lagi pong magkakabit yan. Kung Unjust Vexation ay in relation to 7610 ang kaugnay na batas.

COUN. NESTOR DIMACUHA: So, dapat po ay mai-incorporate din natin yong policy ng 7610 dito sa ating ginagawang local ordinance, base sa 11313, tama po ba.

POL MASTER SGT. NENA B. GARCIA: Kapag po yong katulad sa Anti Bastos Law, ibinabalik po namin yon sa barangay kapag ang victim ay legal age. Pero kapag minor po ay hindi na namin ibinabalik sa barangay at idinidiretso na namin ang kaso.

COUN. ANGELITO DIMACUHA: Madam Chair, tama po iyong sa PNP. Kapag po iyong sa Bastos laang ay iyon po ay sa barangay na lamang yan dahil yan ay pwede pa sa aming barangay justice dahil 5,000.00 lang ang fine at 6 months imprisonment. So, dadaan pa po yan sa Katarungang Pambarangay. Kaya po tama yong sa Bastos Law 7610 dahil gugulo pa lalo sa halip na sumimple. Kung Anti Bastos Law laang ay di kami na lang sa barangay ay mag-aayos at ng maibsan na din ang dami ng ginagawa ng pulis. Kung mga sipulang sipulan laang naman at hipuan ay tama na sa barangay nga. Ang gusto ko lang hong malaman ay bakit kapag medyo pogil ang nasipol ay walang kasuay bakit pag tambay at hindi gwapo ay talagang binastos na. Kaya ho siguro ay para safe ay huwag nang mag-react. At kapag may nakitang magandang babae ay huwag na tayong umimik. Halimbawa ho ay mag-comment tayo ng Wow ang Ganda, hindi natin alam na baka sa kanya ay pambabastos na yon at sa atin naman ay compliment. So, tama po iyong sa ating PNP na know the intention, iyong mga circumstantial na factors like yong ano yong naramdamang talaga ng babae noong time na yon. Pero hindi ko po alam kung ilalagay pa natin yon ditto sa ating proposed ordinance.

COUN. NESTOR DIMACUHA: Pwede nating tanunin si Mrs. Mila Espanola.

COUN. ANGELITO DIMACUHA: Yes. Madam Chair may we hear from Mrs. Mila Espanola.

CHAIR: Mam Mila Espanola you are recognized.

MS. MILA ESPANOLA: Good morning Honorable Councilors and Honorable Vice Mayor. So, kung case na po ay wala na tayong magagawa nga either sa barangay o sa pulis ay susundan na lang po natin. Pero doon po sa Section 28, 33 and 35, na iisa-isahin ko po iyon po ang more or less function ng Local Government Unit. Sa Section 28 po Remedies and \_\_Social Counselling. Kung sakali po na may nangyari na at hindi naman natin hinahangad doon sa Republic Act ay role po ng LGU ng Social Welfare in particular, at ng Council ng kababaihan na ang babae lalo

na kung siya ay nagkaroon ng psychological effect, iyong sinasabing pambabastos ay more on psychological program po ang ibibigay. Iyon naman po Section 33, iyon naman po ay kalimitang ginagawa ng PNP o ng barangay at nangyayari po yan. Actually, nangyayari ito at ginagawa na natin ito, hindi lang natin nakikita na ito pala ay yong Anti-Bastos Law. Iyon naming Section 33 ay Educational Campaign Awareness Campaign. Ibig sabihin po ay tayo ay patuloy at magsasagawa ng iba't-ibang module para campaign sa barangay at sa ngayon po ay ka-tie up naming with Councilor Dondon Dimacuha. At yan ay isinasali na rin natin and then lyong Section 35 – Developing Projects under Section 287 of RA 7160 na nire-refer po kanina ng mga honorable councilors. Tama po yong kay Atty. Alyssa in due respect po sa kanya at siya ay isang abogado din, ay ginagawa na natin at parang ina-adopt lang natin ang batas at ang importante po ay meron tayong ginugugol na pondo para magsagawa po ng mga counselling programs, awareness campaign. Sa psychological program ay kailangan na natin ng psychiatrist, babayad na tayo niyan at medical assistance. So, yan Isang po, more or less ang nakikita kong focus ni LGU pagdating sa mga batas na galing sa national at ii-implement sa local government unit at kalimitan pong kinukuhanan ng pondo at ako po ay makikiusap kapag po nailatag na itong batas na ito ay under GAD program – Gender and Development at iba pa pong batas na napapaloob dito. Thank you po.

COUN. ANGELITO DIMACUHA: Madam Chair, siguro po ay maidagdag ko doon kay Mrs. Mila Espanola na iyong PIO natin ay siguro po ay yong awareness campaign natin sa mga tao at saka iyong dito sa Anti Bastos Law. At sana po ay ang ordinansang ito ay hindi lang mag-focus dito sa taga lungsod kungdi pati na rin sa mga foreigner na napunta dito na nababastos ng iba. Ipakita naman natin na tayo ay may paggalang sa mga turista. Alam naman natin na yang mga foreigner ay minsan laging naka-short at iba ang suot kaysa sa mga locals. Dapat saklaw din po yan ng ordinansang ito.

CHAIR: Thank you po. Councilor Aleth Lazarte you are now recognized.

COUN. ALETH LAZARTE: In relation po kay Konsehal Dondon, i-add lang po sa information drive kasi ang kinakailangan talaga ay ang i-involve dito ay itong ating mga kabataan. Dapat maisama ito ng ating SK kasi po alam naman natin sa panahon ngayon ay hindi talaga naiiwasan yang mga pambabastos dahil sa henerasyon ngayon na nakikita natin. In fact, elementary pa lang ay kita naman natin ang suot ng mga kabataan. Ang nangyayari po ngayon ay parang nasasanay na rin na pituhan sila, titigan sila pag nagdadaan. Nuong araw siguro, sa aming panahon, iyan ay pambabastos na at wasang na agad ako niyan pag ako ay nasipulan. Pero sa panahon ngayon ang nangyayari ay parang ordinary na sila ay

sinisipulan at parang elated pa sila. So, kailangan siguro ay itaas pa at i-level up natin ang awareness campaign lalo na sa mga kabataan. May comment lang po ako sa penalties. Talaga po ba na ang ilalagay natin ditto ay yong one time na talaga pag nag-violate ay 5,000.00 na po talaga at wala na yong sinasabi na community service muna ang 1<sup>st</sup> o 2<sup>nd</sup> offense.

CHAIR: Councilor Nelson Chavez, you may answer.

COUN. NELSON CHAVEZ: Yes po. Siguro po ay depende sa mapapag-usapan kung ano ang inyong mga suggestions. Hindi pa naman siya final at pwede siguro nating i-consider nga yong community service muna.

COUN. ALETH LAZARTE: Tanong ko lang po, siyempre ang involve ditto ay all ages ano po, merong sa kabataan, may sa menor at my sa legal age na. So, how do we treat po ang mga violations when it comes to minor at legal age na

CHAIR: If I may po, kasi kapag ang titingnan po natin ay yong RA11313, actually ay mas mataas po mga penalty sa ibinigay ng Anti Bastos Law. Actually, ang first offense po ay may 5,000.00, although iba-iba pong class kasi pag sa street ay may community service. Pero kapag po doon sa mga employer na sila ang napatunayan ay P5,000.00 to P10,000.00 ang penalty. So, sa ating proponent, siguro po ay mas maganda na iba-ibahin natin yong penalties per offender. Siguro po ay pwedeng kopya na lang kung ano mismo yong andon sa RA 11313. Councilor Boy ...

COUN. NESTOR DIMACUHA: Comment lang, base doon sa penalty na 5,000.00. Tama lang yan para sa akin. Why? Raising the penalty would discourage yong mga ganitong uri ng mga pambabastos or activities. Kung ibaba naman natin, ang katwiran ng mga yan ay sige gawin natin, kayang kaya naman natin ito. So, gagawa rin yan. 5,000.00 is allowed under our Local Government Code at isa yan para maka-discourage sa mga ganitong ng activities.

CHAIR: Thank you Councilor Boy.

COUN. NESTOR DIMACUHA: Additional comment, Madam Chair. Mam Mila mentioned Section 35 which is wala naman dito sa ating pinag-uusapang ordinansa. So, why not craft a resolution adopting this national law? Comment ko lang ano po pero there is no harm naman kung magpapasa tayo ng local ordinance. Thank you.

MS. MILA ESPANOLA: Ang pinagbasehan ko po ay yong appropriation lang, nakatunghay po ako ngayon dine Konsehal Boy, dahil nga po kailangan pong i-assess kami sa functionality dahil siyempre ipapatupad natin. Tulad ng sinabi ni Konsehal Aleth kanina na dapat i-level up ang awareness campaign, so magproduce kami ng campaign materials. So, ang role po ni Local Government Unit ay

more on psychosocial counselling, production of educational modules and awareness campaign and any development projects na makakatulong para walang kasong mapasampa sa barangay o dito sa PNP. Kasi ibang usapan kapag iniawi na sa bayan. At ang mahalaga ho, anomang batas ang ating tinunghayan ay mas mahalaga na may preventive measures tayo na gagawin at kung kayo naman ay sa Legislative ay kami naman ay under ng Executive Body para po ito ay maipatupad. Thank you po.

CHAIR: Thank you po Mam Mila. Nakalagay po sa Section 8 ng Anti Bastos Law is kasilangan nating magpasa na ordinance which localize the applicability within 60 days of effectivity at talaga pong dapat tayong magpasa. Siguro po ay yong mga suggestions nina ABC, Councilor Boy at Councilor Gerry ay maganda na mai-include din natin ditto sa ating ordinance. Pero iyong sinasabi ninyo na bakit hindi na lang i-adopt as a whole ay baka . . . iyon po kasi ang talagang task sa atin na makapaggawa ng localized applicability within 60 days from the effectivity ng Anti Bastos Law.

Itatanong ko lang kay Mam Mila, kasi nakalagay dito na dapat makapag create din ng Anti Sexual Harassment Hotline ang local government unit sa ating CSWD. Mam meron nag a po tayong na-create na Anti Sexual Harassment Hotline ditto sa Batangas City.

MS. MILA ESPANOLA: Yes po. Iyon nga po ang nakita ko sa Section 8 at yon nga po sana ang ating bibigyan ng emphasis diyan na isa pang function ng LGU. Ngayon ay meron naman po. Di ga ho ay ang nagagamit na natin ay sa PNP, sa Social Welfare at sa barangay level dahil doon unang nararapat muna na pumunta lalong lalo na kung medyo kumplikado ang kaso. So, yon po, parang ii-institutionalize natin na ang lahat ng mga telepono or any easy means of communication sa barangay level ay iu-utilize. Ang nakalagay lamang naman doon ay hotline council. Pero ang aking suggestion po diyan lay ico-coordinate lang sa ibang mga councils na created na ng city o ng barangay level para hindi na ho maraming tao ang ating aabalahin kung sakali po na may mga ganitong mga kaso. Pero kung magtatalaga si barangay ng isang tao para sa hotline. Pero ang the best po sa chairman dahil kapag gabi po ay maganda itong mga mobile kaysa sa barangay hall na kalimitan kapag gabi ay baka nasaraduhan ang unit ay di hindi makaka-attend sa tawag. Kaya isama na rin po natin ang hotline na are at lahat naman tayo ay aware na social services function at kailangang ikaw ay laging bukas ang phone. Dapat 24/7 ay aware ka na ikaw ay may role na dapat gampanan lalong lalo na sa mga ganitong cases. Thank you po.

COUN. ANGELITO DIMACUHA: Madam Chair.

CHAIR: Yes po ABC Dondon . . .

COUN. ANGELITO DIMACUHA: Madam Chair, itatanong ko lang din po kung pwede na rin nating idagdag sa ordinance na ito iyong "Not limited to cat calling at wolf whistling. Iyong mga illicit comments sa tex. Iyong hindi lang sa actual na pambabastos sa kalye kungdi pati yong kapag ang babae ay tinitex ng kabastusan, ay makasama na rin sa ordinansang ito.

Second – Since ito po ay may penalty or fine, ito po ba ay dapat may public hearing p or enough na yong publication and posting na laang sa mga conspicuous places? Kasi po sa tingin ko ay kapag public hearing ito ay . . . pandemic naman ngayon. Ang hirap naman sa Zoom at saka kapag maraming umattend na pilosopong katulad natin ay talagang magtatagal ang usapang ito. Thank you Madam Chair.

CHAIR: Councilor Biy . . .

COUN. NESTOR DIMACUHA: Provided in Section 111 of the Local Government Unit, kapag ang isang ordinansa ay may penalty clause o may sanction ay dapat ito ay i-publish. Mandatory po ang publication.

COUN. ANGELITO DIMACUHA: Pero public hearing po?

COUN. NESTOR DIMACUHA: Hindi po. Hindi po ito tax ordinance eh. Ito po ay ordinansa na nagsasaad ng pataw para sa paglabag doon sa nakatala sa loob ng ordinansa.

COUN. ANGELITO DIMACUHA: Madam Chair, ay iyon naman pong isasama na rin ang mga tex, may clause po tayo doon na including tex messages or other forms of on line communication, like email, tex, facebook, twitter and the likes.

CHAIR: Meron pong gender based sexual harassment na isinama si Konsehal Nelson sa ginawang ordinance.

COUN. NESTOR DIMACUHA: Dine sa Section 8 and 9.

COUN. ANGELITO DIMACUHA: Question lang po uli. Halimbawa po ba ay may nakita akong babae ay bagong gupit ay ang sabi ko po ay "patay na ga ang gumupit sa iyo", ano ga po yon? Pambabastos ga p yon? Kasi ang kanyang gupit ay parang nabastos. Pwede po ba akong mahabla dito? Anyway pangpa alive lang naman. Understood na yon. Salamat po. Anyway, tama ang sabi ng PNP and I just learned from the PNP na ang unang dini-determine ay kung ano ang na-feel noong time na sinabi at ano ang talagang na-feel. At siguro naman ay based na rin sa mga circumstantial factors, like for example kung may may witness na magsasabi ng "aba ay ang pagkakasabi naman ay hindi comment at talagang pambabastos naman talaga". So iyon po. Thank you.

CHAIR: Any questions po or comments?

None

So, siguro po ay bago natin ito i-committee report ay i-take into consideration muna ng ating proponent iyong mga comments and suggestions ng ating mga kasamahan at bigyan muna tayo ng kopya ng revised ordinance bago natin schedule for Second Reading. So, kung wala na po ay maraming salamat po sa ating mga bisita, sa ating PNP, sa ating CSWD Mam Mila. Maraming salamat po.

Natapos ang pagdinig sa ganap na ika 11:15 ng umaga.

#### CERTIFICATION

This is to certify that the foregoing transcript is true and correct to the best of my own personal knowledge, belief and understanding.

  
CECILIA D. ATIENZA  
Senior Administrative Asst. 1  
(Stenographic Reporter IV)