



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
19th City Council

PO19CC-354

42nd Regular Session

ORDINANCE NO. SP- **2357**, S-2014

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE ANTI-DISCRIMINATION POLICY ON THE BASIS OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION (SOGIE).

Introduced by Councilors LENA MARIE P. JUICO, DOROTHY A. DELARMENTE, JULIENNE ALYSON RAE V. MEDALLA and JESUS MANUEL C. SUNTAY.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Alexis R. Herrera, Roderick M. Paulate, Estrella C. Valmocina, Allan Benedict S. Reyes, Eufemio C. Lagumbay, Jaime F. Borres, Vincent DG. Belmonte, Mr. Bayani V. Hipol, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Marivic Co-Pilar, Rogelio "Roger" P. Juan, Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, Section 11, Article II of the 1987 Philippine Constitution states that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, Section 1 (a), Article XIII of the 1987 Philippine Constitution states that the enactment of measures that protect and enhance the right of the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities shall be given highest priority;

WHEREAS, Section 1, Article III of the 1987 Philippine Constitution guarantees that no person shall be deprived of life, liberty, and property without due process of law, nor shall any person be denied the equal protection of the law;

WHEREAS, the Philippines is a state party to several international agreements such as the Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention Against Torture (CAT), International Convention on Civil and Political Rights (ICCPR) and Convention on the Rights of Persons with Disabilities (CRPD), which instruments aim to eliminate all forms of discrimination and abuse;

WHEREAS, Section 73 of Article XI of the Quezon City Gender and Development Code (QC GAD Code) states that it is the policy of the City to employ 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;

WHEREAS, according to Office Order No. 27, Series of 2013 of the Office of the Mayor, the Quezon City Pride Council (QCPC) was constituted in view of the City Government's support of Gender and Development (GAD) plans, programs and activities; and with the aim of integrating and synchronizing programs and projects of the lesbian, gay, bisexual and transgender (LGBT) community in the City, and to ensure herein the effective implementation of said programs;

WHEREAS, QCPC shall spearhead cultural, arts, film, sports and other related events including education campaigns on lesbian, gay, bisexual and transgender (LGBT) issues and concerns. The QCPC shall conduct trainings and livelihood programs for the lesbian, gay, bisexual and transgender (LGBT) community in coordination with other city departments/offices and national government agencies, including private agencies; *✓*

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WHEREAS, on 26 March 2007, a group of human rights experts launched the Yogyakarta Principles on the Application of Human Rights Law in Relation to Sexual Orientation and Gender Identity (hereinafter the "Yogyakarta Principles"). The Principles are intended as a coherent and comprehensive identification of the obligation of States to respect, protect and fulfill the human rights of all persons regardless of their sexual orientation or gender identity;

WHEREAS, on 17 June 2011, the UN Human Rights Council (HRC) adopted Resolution 17/19 (Human Rights, Sexual Orientation and Gender Identity), which paved the way for the United Nations Office of the High Commissioner for Human Rights (OHCHR) to issue the first UN report on human rights and sexual orientation and gender identity (SOGI). In the report, evidence of the discrimination faced by people because of their sexual orientation or gender identity was presented, including inequities in employment, access to health treatment, care, and support (TCS), and education, as well as criminalization, physical violence and murder (OHCHR, 2011). High Commissioner Navi Pillay challenged UN member states to help write a new chapter in UN history by ending the discrimination faced by lesbian, gay, bisexual, and transgender (LGBT) people;

WHEREAS, lesbian, gay, bisexual and transgender (LGBT) persons are target of physical and verbal assaults that affect their economic, cultural, social, health well-being. There is no coordinated and comprehensive state or even non-state mechanisms that monitor the instances of discrimination, bias, prejudice, and violence that lesbian, gay, bisexual and transgender (LGBT) persons face due to homophobia, transphobia, and machismo;

WHEREAS, according to research conducted by the Philippine LGBT Hate Crime Watch, of the 141 documented cases of hate crimes from 1996 to 2011, ninety five (95) cases involved gay men, twenty six (26) involved transgenders, sixteen (16) involved lesbians and four (4) involved bisexuals. From an average of ten (10) lesbian, gay, bisexual and transgender (LGBT) people murdered between 1996-2008, the number has risen to twelve in 2009, 26 in 2010, and 27 from January to May 2011; γ

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WHEREAS, lesbian, gay, bisexual and transgender (LGBT) persons in the Philippines continue to experience stigma, prejudice and discrimination. This stigma is manifested in actions such as: bullying, teasing and harassment of lesbian, gay, bisexual and transgender (LGBT) children and adolescents in families, schools, and communities; media portrayal of lesbian, gay, bisexual and transgender (LGBT) persons as frivolous, untrustworthy and even dangerous or predatory; denying transgender Filipinos entry into commercial establishments; pigeonholing lesbian, gay, bisexual and transgender (LGBT) Filipinos into particularly limited roles and occupations; or curtailing their rights to participate in the political sphere;

WHEREAS, in 2003, the Quezon City Council enacted Ordinance No. SP-1309, S-2003 entitled "An Ordinance Prohibiting All Acts of Discrimination Directed Against Homosexuals in any office in Quezon City whether in the government or in the private Sector, and providing penalties for violation thereof";

WHEREAS, on 27 March 2014, Mara La Torre, 22, a transgender woman call center employee, filed a criminal complaint before the Quezon City Prosecutor's Office for violation of City Ordinance No. SP-1309, S-2003, on the ground that she was prevented by security guards from using the women's washroom or toilet in her workplace;

WHEREAS, on September 26, 2014, the UN Human Rights Council adopted a resolution against LGBT Violence and discrimination expressing grave concern at acts of violence and discrimination committed against individuals based on their sexual orientation and gender identity and upholding the rights of the LGBTs. The Philippines was among the twenty-five countries which voted yes in this landmark UN resolution.

NOW, THEREFORE,

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

SECTION I. TITLE - This Ordinance shall be known as "The Quezon City Gender-Fair Ordinance".



SECTION II. DECLARATION OF POLICY - It is hereby declared a policy of Quezon City to actively work for the elimination of all forms of discrimination that offend the equal protection clause of the Bill of Rights enshrined in the Constitution, and other existing laws and to value the dignity of every person, guarantee full respect for human rights, and give the highest priority to measures that protect and enhance the right of all people;

SECTION III. DEFINITION OF TERMS

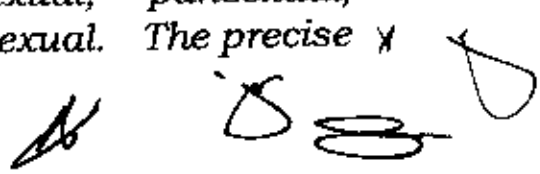
a) **LGBT** - refers to a diverse and complex range of identities based on sexual orientation, gender identity and expression (hereinafter "SOGIE"). The term "LGBT" refers to gender and sexuality non-conforming persons, including, but not limited to lesbian, gay, bisexual and transgender persons.

a.1 **Lesbian** - a woman whose emotional, romantic, and sexual energies are geared towards other women;

a.2 **Gay** - a person who is emotionally and/or physically attracted to members of the same sex. Although all-encompassing, this term refers mainly to men;

a.3 **Bisexual**- a person who is emotionally and/or physically attracted to members of both the same and the opposite sex;

a.4 **Transgender** - is the state of one's gender identity (self-identification as woman, man or neither) not matching one's "assigned sex" (identification by others as male or female based on physical/genetic sex). Transgender does not imply any specific form of sexual orientation; transgender people may identify as heterosexual, homosexual, bisexual, pansexual, polysexual or asexual. The precise



*definition for transgender remains in flux,
but includes:*

- of relating to, or designating a person whose identity does not conform unambiguously to conventional notions of male or female gender roles, but combines or moves between these.

- people who were assigned a sex, usually at birth and based on their genitals, but who feels that this is a false or incomplete description of themselves.

-non-identification with, or non-presentation as the sex (and assumed gender) one was assigned at birth.

b) DISCRIMINATION – shall mean any distinction, exclusion, restriction, or preference made on the basis of sexual orientation and gender identity and expression (SOGIE) which has an effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by a person, group of persons, or institutions of their human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field, especially including but not limited to, employment, livelihood, education and basic services;

c) SEX – Sex is a human and civil status of a person acquired by birth having organ and system of reproduction.

d) SEXUAL ORIENTATION – refers to each person's capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender; γ

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- e) **GENDER IDENTITY** - refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms;
- f) **GENDER EXPRESSION**- is how a person publicly presents one's gender. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender;
- g) **EDUCATION** - refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given;
- h) **EMPLOYMENT** - existence of an employer-employee relationship, which is determined by the four-fold test: 1) selection of the employee; 2) payment of wages; 3) power of dismissal; and 4) power of control. This definition shall apply to regular, probational, contractual, seasonal, and project-based workers. In legitimate contracting or sub-contracting arrangements, the contractor/subcontractor shall be deemed the employer of the contractual employee;
- i) **ACCOMMODATION** - as mentioned herein, includes a house, apartment, condominium, townhouse, flat, motel, boarding house, hotel, and dormitory, which are open to the general public. It shall also include the grant of license, clearance, certification or any other document issued by governmental authorities or other private or juridical entities; γ



- j) **GOODS and SERVICES** - as applied herein includes but shall not be limited to establishments, individuals and groups of individuals supplying physical goods and services such as restaurants, resorts, hotels, clubs, and shopping malls as well as those providing clearing, repair, maintenance, construction, financial, health, transportation and public utility services;
- k) **VILIFICATION** - The utterance of slanderous and abusive statements done in any activity in public which incites hatred towards, serious contempt for, or severe ridicule towards any person/s on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).
- l) **PUBLIC RIDICULE** - an act of making fun or contemptuous imitating or making mockery of persons whether in writing, or in words, or in action on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

SECTION IV. PROHIBITED ACTS/ACTS OF DISCRIMINATION - Discrimination is committed when a person treats another less favorably on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), than a person treats or would treat another without that attribute, on the same or similar circumstances in employment, education, accommodation, delivery of services, and in other areas, to wit:

- 1. **Discrimination in Employment** - It shall be unlawful for any employer to discriminate against any person or group of persons on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), in public or private employment by: γ

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- a) Denying or limiting rights to trainings, recruitment, promotion, remuneration and other terms and conditions of employment;
 - b) Denying or limiting opportunities to favorable terms and conditions of employment which afford employee advancement, in all areas of public service, including all levels of government service and employment in Quezon City;
 - c) Excluding membership in labor unions or similar organizations;
 - d) Subjecting any employee to workplace harassment or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive behavior committed by the employer, or by another employee;
 - e) Dismissing the employee or subjecting the employee to any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).
2. Discrimination in Education - It shall be unlawful for an educational institution, both public and private, along with the institution's officers and employees, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) thereof by:
- a) Unduly delaying, refusing, or failing to accept a person's application or admission as a student, without prejudice to the right of educational institutions to determine the academic qualifications of their students; x

- b) *Providing onerous or unjust terms and conditions for admission of a person as a student;*
 - c) *Denying or limiting the student's access to any benefit provided by the educational authority;*
 - d) *Expelling or subjecting the student to any penalty or any other detriment on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE);*
 - e) *Refusing admission, denying acceptance or expelling or dismissing a student from academic, socio-civic organization and associations on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE);*
 - f) *Subjecting any student to harassment, bullying, or any threat of physical, mental and verbal violence, intimidation or other threatening disruptive behavior committed by teachers, professors, trainers, administrators or by other students.*
3. *Discrimination in the delivery of Goods or Services*
- *It shall be unlawful for a person, natural or juridical, whether as principal or agent, to discriminate against a person on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) by:*

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a) Refusing to provide goods or services and/or imposing onerous terms and conditions to a person on the ground of one's actual or perceived sexual-orientation, gender identity and expression (SOGIE) as a prerequisite for providing such goods or services where the said terms and conditions are not imposed on another person under the same or similar circumstances;

b) Denying a person's access to health services and facilities, health insurance, and other related benefits as provided under the law.

4. Discrimination in Accommodation - It is unlawful for a person, natural or juridical, whether as principal or agent, to refuse or limit access to any benefit associated to accommodation, on the ground of actual or perceived sexual orientation, gender identity and expression (SOGIE) by:

a) Refusing or failing to allow any person to avail of services or accommodation in an apartment, condominium, townhouse, flat, hotel, inn, dormitory and any other places of dwelling being rented out or offered to the public or for a fee;

b) Denying an application for a license, clearance, certification or any other document issued by governmental authorities or other private or juridical entities, on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).

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5. *Verbal, Non-Verbal Ridicule and Vilification* – Any person, natural or juridical, is hereby prohibited from vilifying or ridiculing any person on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE) which could result in the loss of self-esteem of the latter through any of the following acts:

a) *Making fun or contemptuous imitating or making a mockery whether in writing, or in words, or in action;*

b) *Uttering of slanderous and abusive statements;*

c) *Executing any activity in public which incites hatred towards, serious contempt for, or severe ridicule of a person;*

d) *Doing any other analogous act/s of ridicule in any time and place which could intimidate or result in loss of self-esteem of the person.*

6. *Harassment, unjust detention and involuntary confinement* - It shall be unlawful to commit harassment, unjust detention and involuntary confinement because of one's actual or perceived sexual orientation, gender identity and expression (SOGIE).

7. *Disallowance from entry and refusal to serve* - It shall be unlawful to refuse entry and/or disallow a person or group of persons from entering any establishment such as restaurants, bars, stores, movie houses, shopping malls, and other places or entertainment and other businesses which are open to the general public; and/or to refuse to attend to, or serve any orders for food, drinks and other goods, consumable and non-consumable; or to subject one to discrimination or harassment in buses, taxis, ships, airplanes, on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE).)

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8. *Promotion of Discrimination Against LGBT* – It shall be unlawful to organize groups and activities which promote and incite discrimination against persons based on actual or perceived sexual orientation, gender identity, and expression (SOGIE).

9. *Any Other Analogous Act* - Any act of discrimination or harassment based on actual or perceived sexual orientation, gender identity and expression (SOGIE), which demeans the dignity and self-respect of a person or impairs, mars, reduces or nullifies the recognition, enjoyment or exercise of a person's human and legal rights and basic freedoms in the civil, political, labor, economic, social, cultural, educational spheres, and other spheres.

SECTION V. AFFIRMATIVE ACTS – To ensure that the rights of lesbian, gay, bisexual and transgender (LGBT) persons are protected, the following plans and programs shall be adopted in employment, in education, in the delivery of goods and services, accommodation, and other areas, to wit:

1. *Affirmative Acts in Employment*

a) *Wage and Benefits for Lesbian, Gay, Bisexual and Transgenders (LGBT) persons* - Every employer in Quezon City 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 lesbian, gay, bisexual and transgender (LGBT) persons benefits afforded under existing laws, such as maternity/paternity leaves, sick and vacation leaves, retirement, and benefits provided under special laws such as in R.A. No. 9262, among others; γ

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b) *Issuance of Annual Gender Sensitivity Training certificate including Sexual Orientation Gender Identity and Expression (SOGIE) – All private offices, commercial/industrial establishments located in Quezon City shall encourage an annual gender sensitivity training or orientation for all employees, including a module on the elimination of all forms of discrimination on the basis of one's actual or perceived sexual orientation, gender identity and expression (SOGIE).*

c) *Dissemination to Employees and Posting of the Ordinance - A copy of this ordinance shall be provided to all employees upon engagement by the Hiring Officer or by the Human Resources Officer of any public or private entity where employment is sought. A copy of the ordinance shall be posted in two conspicuous places in the office where the business is located;*

d) *Facilities and Support System for Lesbian, Gay Bisexual and Transgender (LGBT) Persons - All government agencies, private offices, and commercial/industrial establishments shall designate toilet rooms and lavatories labelled as all gender CR.*

2. *Affirmative Acts in Education*

a) *Equal Access to Education Opportunities – The Quezon City Government shall ensure equal access to opportunities for lesbian, gay, bisexual and transgender (LGBT) persons in various trainings and scholarships;*

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b) *Availability of Anti-Discrimination Materials*- All schools, colleges, universities and other educational and training institutions, whether public or private, located in Quezon City, shall develop and make available resource materials on gender rights and empowerment, including laws and ordinances pertinent to the elimination of any form of discrimination on the basis of actual or perceived sexual orientation, gender identity and expression (SOGIE), in their libraries;

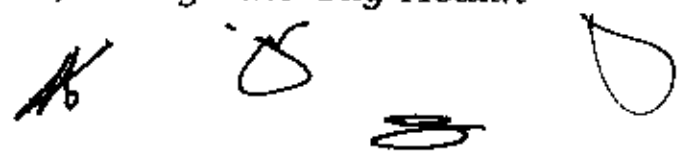
c) *Elimination of Gender Stereotyping* - All schools, colleges, universities and other educational and training institutions, whether public or private, located in Quezon City, shall promote the elimination of sex-role stereotyping and gender-discriminatory role modelling for students in academics and extra-curricular activities;

3. *Affirmative Acts in the Delivery of Goods and Services*

a) *Delivery of Goods and Services to Eligible Individuals* - Establishments supplying physical goods and services shall ensure that goods and services are delivered to eligible individuals in a non-discriminatory manner in accordance with the standards provided under applicable laws;

4. *Affirmative Acts in Accommodation*

a. *Health Services for Lesbian, Gay, Bisexual and Transgender (LGBT) Persons and Capacity-Building and Training for Health Care Providers* - In order to ensure that health care services shall be provided in a non-discriminatory manner, the Quezon City Government, through the City Health Department, shall: χ



1. *Extend quality health care services and information on reproductive health without regard to one's marital status, age, religious affiliations, sexual orientation, gender identity and expression (SOGIE), personal circumstances and nature of work;*
2. *Monitor and ensure that provisions for gender-sensitive, gender-responsive and accessible health services for lesbians, gays, bisexuals and transgenders (LGBTs) are available both at the hospitals within the City and in Barangay Health Centers;*
3. *Develop modules for gender-sensitive and gender-responsive health care services and reproductive health information including those used for STDs, HIV, and AIDS; and such shall be integrated in seminars, orientations and education activities;*
4. *Encourage the establishment of an LGBT Desk in every public and private hospital to handle concerns pertaining to the proper administration of medical services to a person with specific needs, according to one's self-identified sexual orientation, gender identity and expression (SOGIE), in order to provide a comprehensive, responsive, and accessible health services;*
5. *Build the capacities of barangay health workers, schools and community-based health personnel in delivering gender-sensitive and gender-responsive health services to the community in coordination with the barangay and non-governmental organizations;*
6. *Oversee implementation of reproductive health programs for all Quezon City-based establishments; x*



7. *Initiate dedicated measures for lesbian, gay, bisexual and transgender (LGBT) workers to access, without discrimination, Sexually Transmitted Disease (STD) and Sexually Transmitted Infections (STI) check-ups and treatments, including but not limited to, life saving Human Immunodeficiency Virus (HIV) management, prevention, care and support services.*

8. *Initiate a sensitization and training drive in all government health care facilities about the needs of lesbian, gay, bisexual and transgender (LGBT) population vis-a-vis general health and medical emergencies.*

SECTION VI. INCORPORATION OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION (SOGIE) CONCERNS WITH FUNCTIONS OF EXISTING VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK/HUMAN RIGHTS DESK IN QUEZON CITY POLICE DISTRICT (QCPD) – The Quezon City Police District is strongly encouraged to handle the specific concerns relating to sexual orientation gender identity and expression (SOGIE) through the existing Violence Against Women or VAWC/Human Rights Desk in all police stations in Quezon City, in close coordination with Quezon City Protection Center.

SECTION VII. COMPOSITION OF THE QUEZON CITY PRIDE COUNCIL (QCPC) – Members of the Secretariat shall be recommended by the Quezon City Pride Council which shall be composed of the following: Chairperson – Mayor; Co-Chairperson-Vice Mayor, Vice-Chairperson – Chairperson, Committee on Women, Gender and Family Relations; Members – Head of the Public Employment Services Office, Chief of Business Permits and Licensing Office, Superintendent of the Division of City Schools, Representative, Gender Development Council, four (4) Representatives from Non-Government Organizations accredited by the city, Head of the Quezon City Health Department, Representative from the Quezon City Police District (QCPD), Head of the Housing, Community Development and Resettlement Department. X

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SECTION VIII. INCORPORATION OF SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION (SOGIE) CONCERNS WITH THE FUNCTIONS OF THE EXISTING BARANGAY VIOLENCE AGAINST WOMEN AND CHILDREN (VAWC) DESK – All barangays in Quezon City are strongly encouraged to handle concerns relating to sexual orientation, gender identity and expression (SOGIE) through the existing Barangay Violence Against Women and Children (VAWC) Desk.

- a) *Develop a system to document and report cases of discrimination and violence against actual or perceived lesbian, gay, bisexual and transgender (LGBT) persons, and provide assistance to the victims thereof;*
- b) *Ensure that barangay officials, barangay security or tanod and other barangay workers, including volunteers, undergo training to enable them to respond to victims of gender discrimination and violence against lesbian, gay, bisexual and transgender (LGBT) persons;*
- c) *Assist the victim in filing the appropriate complaint with the Quezon City Police District or other law enforcement agencies;*
- d) *Ensure that all pertinent documents are forwarded to the Quezon City Police District.*

SECTION IX. OVERSIGHT FUNCTIONS OF THE QUEZON CITY PRIDE COUNCIL (QCPC) UNDER THE ORDINANCE – The Quezon City Pride Council shall perform oversight functions over the implementation of this Ordinance, including the implementation of Anti-Discrimination programs provided herein. The QCPC shall exercise the following principal functions: *γ*

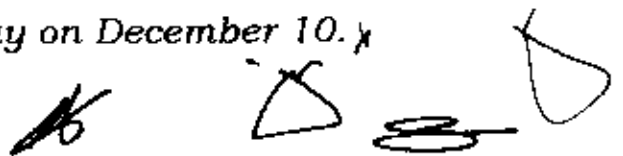
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- a) Monitor complaints concerning violations of any provision of this Ordinance;
- b) Facilitate and assist the victims of stigma and discrimination to ensure that they have legal representation, counseling and psychological assistance;
- c) Maintain discrimination case documentation, case monitoring system, and set-up a databank to easily access various cases and experiences of stigma and discrimination;
- d) Recommend to the Sangguniang Panlungsod anti-discrimination policies;
- e) Monitor or review all policies embodied in resolutions, ordinances, codes and other policy documents to determine if they are free from discriminatory statements and provisions, and undertake necessary amendments of those provisions to effectively eliminate discrimination, stigma, and stereotyping LGBTs.

SECTION X. COMMEMORATION OF LESBIAN, GAY, BISEXUAL AND TRANSGENDER (LGBT) EVENTS - In support of the lesbian, gay, bisexual and transgender (LGBT) community, the Quezon City Government shall commemorate the annual celebration of the following:

- a) International Day against Homophobia and Transphobia (IDAHOT) on May 17;
- b) Philippine Pride March on the First Saturday of December;
- c) World Aids Day on December 1; and
- d) Human Rights Day on December 10. x

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SECTION XI. APPROPRIATION – For the effective implementation of this Ordinance, the City Government shall source out funds from the five percent (5%) of the annual budget appropriated to finance the Gender and Development (GAD) plans, projects and programs.

SECTION XII. ANTI-DISCRIMINATION PROGRAMS – Fund shall be allocated by the Quezon City government for the implementation of the following programs:

- a) *Discrimination Databank and Monitoring;*
- b) *Access to Legal Representation of victims of discrimination based on sexual orientation, gender identity and expression (SOGIE);*
- c) *Psychological Counselling;*
- d) *Anti-Discrimination Campaign;*
- e) *Policy review;*
- f) *Organization of Lesbian, Gay, Bisexual and Transgender (LGBT) persons in the barangay to ensure sectoral representation in the City Government.*

SECTION XIII. PERSONS LIABLE – Any person, natural or juridical, who commits any of the acts herein prohibited, shall be criminally liable and penalized accordingly. In case of juridical persons, such as, but not limited to, corporations, partnerships, associations, institutions, whether private or public, the President or head of office, shall also be criminally responsible.)



SECTION XIV. PENALTIES – Any person held liable under this Ordinance shall be penalized with imprisonment for a period of not less than sixty days (60) days but not more than one (1) year and/ or a fine of not less than One Thousand Pesos (Php1,000.00) but not to exceed Five Thousand Pesos (Php5,000.00), or both at the discretion of the Court, without prejudice to any applicable criminal, civil, or administrative action that may be instituted under the provision of existing laws.

SECTION XV. INDEPENDENT ACTION FOR DAMAGES – Nothing in this Act shall preclude the victim of discrimination based on actual or perceived sexual orientation, gender identity and expression, from instituting a separate and independent action for damages and other affirmative relief.

SECTION XVI. IMPLEMENTING RULES AND REGULATIONS – Within Sixty (60) days from the effectivity of this Ordinance, the Quezon City Pride Council, shall jointly formulate, after thorough consultation with multi-sectoral groups and stakeholders, the implementing rules and regulations and guidelines of this Ordinance. The multi-sectoral groups and stakeholders to be consulted shall be composed of experts and representatives from various sectors such as: civil society, LGBT non-government organizations, LGBT organizations and community-based organizations.

SECTION XVII. SEPARABILITY CLAUSE – If any portion or provision of this ordinance is declared as void or unconstitutional, the remaining portions thereof shall not be affected thereby and shall remain in full force and effect.


SECTION XVIII. REPEALING CLAUSE – Any provision of law or regulation inconsistent herewith is hereby repealed, revoked or modified accordingly. *x*

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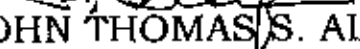
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SECTION XIX. EFFECTIVITY CLAUSE - This Ordinance shall take effect ten (10) days after its publication in a local newspaper of general circulation in the city and its posting in the entrance of the City Hall, and in two (2) other conspicuous places in the city.

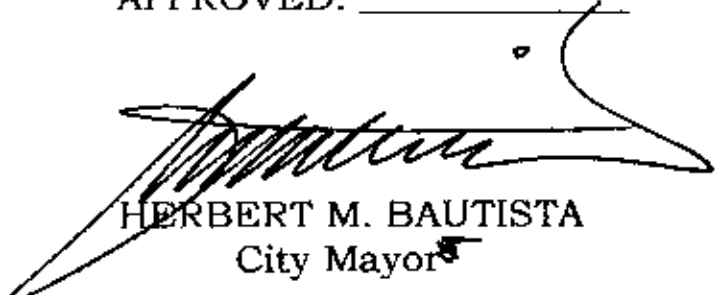
ENACTED: September 29, 2014.


MA. JOSEFINA G. BELMONTE
Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 28 NOV 2014


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was approved by the City Council on second reading on September 29, 2014, was reverted back and APPROVED on Second Reading on October 20, 2014 and was PASSED on Third/Final Reading on October 27, 2014.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III 