



Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
 Sangguniang Panlungsod ng Muntinlupa



U.P. LAW CENTER
 OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
 Administrative Rules and Regulations

R APR 25 2025
REGISTERED

D No. 25-0473

ORDINANCE NO. 2023-077

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FROM THE ORIGINAL

22 APR 2025 v. Julia Saboc

AN ORDINANCE TO PREVENT THE OCCURRENCE OF GENDER-BASED SEXUAL HARASSMENT IN STREETS AND PUBLIC SPACES, ONLINE, IN WORKPLACES AND IN EDUCATIONAL AND TRAINING INSTITUTIONS, THROUGH THE IMPLEMENTATION OF A COMPREHENSIVE AND SUSTAINABLE PROGRAM TO PREVENT AND RESPOND TO SUCH OFFENSES, AND APPROPRIATING FUNDS THEREFOR

Sponsor by:

- Hon. Coun. Engr. Arlene D. Hilapo
- Hon. Coun. Atty. Raul R. Corro
- Hon. Coun. Alexson V. Diaz
- Hon. Coun. Paty Katy C. Boncayac
- Hon. Coun. Atty. Rachel Katriel Ann C. Arciaga
- Hon. Coun. Ivey Rhia A. Tadea
- Hon. Coun. Allan Rey A. Camilon
- Hon. Coun. Jedidiah R. Presnedi, LPT
- Hon. Coun. Ting D. Niefes
- Hon. Coun. Mark Lester M. Baes
- Hon. Coun. Francis Ian T. Bagatsing
- Hon. Coun. Luvi P. Constantino
- Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
- Hon. Coun. Engr. Marissa C. Rongaviila
- Hon. Coun. Cornelio M. Martinez
- Hon. Coun. Rodolfo W. Moldez, Jr.
- Hon. Coun. Walter A. Arcilla
- Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Article II, Section 14 of the 1987 Philippine Constitution enunciates the role of women in nation-building and ensures the fundamental equality before the law of women and men;

WHEREAS, the Magna Carta of Women condemns discrimination against women in all its forms and mandates to pursue all appropriate means and without delay, the development of plans, policies, programs, measures, and mechanisms to address discrimination and inequality in the economic, political, social, and cultural life of women and men;

WHEREAS, Republic Act No. 11313, otherwise known as the "Safe Spaces Act" provides that it is the policy of the State to value the dignity of every human person and guarantee full respect for human rights;

WHEREAS, certain behavior among our people such as catcalling, wolf-whistling, unwanted sexual innuendo during normal conversations, and such other actions that are done in our streets and other public places which we have taken for granted and treated as "normal" behavior, should stop as these are affronts to the dignity of persons they are directed at;

WHEREAS, these unwanted and uninvited sexual actions or remarks against any person should not be tolerated as they are not appropriate in a society where respect and decency should be the norms and not the exception;

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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WHEREAS, the Safe Spaces Act, which defines and penalizes gender-based sexual harassment in streets and public places, online, workplaces and educational training institutions, also stipulates that it is the duty of local government units to pass their respective ordinances to effect its localization;

NOW THEREFORE BE IT ORDAINED by the 10th Sangguniang Panlungsod of Muntinlupa, in session assembled that:

SECTION 1. Short Title – This Ordinance shall be known as “*Respeto Sa Kapwa Muntinlupeño Ordinance.*”

SECTION 2. Purpose – This Ordinance is enacted to implement the primary responsibilities of the City of Muntinlupa in enforcing the pertinent provisions of Republic Act No. 11313 or the Safe Spaces Act and to provide measures to prevent the occurrence of gender-based sexual harassment in the city. It also aims to assure and ensure the protection of Muntinlupeños from gender-based sexual harassment as it seeks to inculcate among its populace respect for each other.

SECTION 3. Definition of Terms – The following terms as used in this Ordinance shall be defined as follows:

- a. **Catcalling** - refers to unwanted remarks directed towards a person, commonly done in the form of wolf-whistling and misogynistic, trans phobic, homophobic, and sexist slurs;
- 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 law, 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 Act, 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 sexual harassment** - refers to offenses defined and penalized under Republic Act No. 11313 otherwise known as the “Safe Spaces Act” which may be committed in streets and public places, online, in the workplace and in educational and training institutions. These are:

People’s Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0182 Email address: sangguniangpanlungsod2k19@gmail.com



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- Gender-Based Streets and Public Spaces Sexual Harassment** – The crimes of gender-based streets and public spaces sexual harassment are committed through any unwanted and uninvited sexual actions or remarks against any person regardless of the motive for committing such action or remarks.

Gender-based streets and public spaces sexual harassment includes 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 and parks. Acts constitutive of gender-based streets and public spaces sexual harassment are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.

- Gender-Based Online Sexual Harassment** – Gender-based online sexual harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media that contains photos, voice, or video with sexual content, 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.

- Gender-Based Sexual Harassment in the Workplace** – The crime of gender-based sexual harassment in the workplace includes the following:

- 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;

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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- b. A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome, 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.
- e. **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;
- f. **Homophobic remarks or slurs** are statements in whatever form or however delivered, which are indicative of fear, hatred or aversion towards a person who is perceived to be, or actually identify as a lesbian, gay, bisexual, queer, pansexual and such other persons of diverse sexual orientation, gender identity or expression, or towards any person perceived to or actually have experienced same-sex attraction;
- g. **Muntinlupa City Gender and Development (GAD) Focal Point System (MCGFPS)** - refers to the body established under Ordinance No. 15-114 otherwise known as the "Gender and Development Code of the City of Muntinlupa", to catalyze and accelerate gender mainstreaming in the city. It is tasked to ensure and advocate for, guide, coordinate, and monitor the development, implementation, review and updating of the GAD plans and GAD-related programs, activities and projects (PAPs) of the city.

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- h. **Local GAD Focal Point System LGFPS** - refers to an interacting and interdependent group of people in all government instrumentalities tasked to catalyze and accelerate gender mainstreaming. It is a mechanism established to ensure and advocate for, guide, coordinate and monitor the development, implementation, review and updating of their Gender and Development (GAD) Plans and GAD-related programs, project and activities;
- i. **Misogynistic remarks or slurs** - are statements in whatever form or however delivered, that are indicative of the feeling of hating women or the belief that men are inherently better than women.
- j. **Public spaces** - refer to streets and alleys, roads, sidewalks, public parks, buildings, schools, churches, public washrooms, malls, internet shops, restaurants and cafes, transportation terminals, public markets, spaces used as evacuation centers, government offices, common carriers, public utility vehicles (PUVs) as well as private vehicles covered by app-based transport network services, other recreational spaces such as, but not limited to, cinema halls, theatres, spas, bars, clubs, resorts, water parks, hotels, casinos, and all other areas, regardless of ownership, openly accessible or offered to be accessed by the public;
- k. **Sexist remarks or slurs** are statements in whatever form or however delivered, that are indicative of prejudice, stereotyping, or discrimination on the basis of sex, typically against women;
- l. **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; and
- m. **Transphobic remarks or slurs** are statements in whatever form or however delivered, that are indicative of fear, hatred or aversion towards persons whose gender identity and/or expression do not conform with their sex assigned at birth.

SECTION 4. Gender-Based Sexual Harassment Prevention – The City of Muntinlupa shall ensure the protection of its constituents from gender-based sexual harassment offenses as defined and penalized under Republic Act No. 11313 otherwise known as the "Safe Spaces Act through the implementation of a comprehensive and sustainable program to prevent and respond to such offenses.



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SECTION 5. Education and Awareness Campaign – The GAD Office shall take the lead in the local education and awareness campaign of Republic Act No. 11313 and this Ordinance. Pursuant to this mandate, it shall undertake the following:

- a. Develop a training module that will be used in conducting capacity building and training activities for local government personnel tasked to enforce and implement this Ordinance. The module shall be developed in consultation with women, business establishments, labor organizations, LGBTQ+ organizations, civil society organizations (CSOs) and other stakeholders.
- b. Develop a pool of trainers who shall conduct capacity building or training orientations.
- c. Develop and produce, in cooperation with the CSWDO, Local School Board (LSB) and the Public Information Office (PIO), information education and communication (IEC) materials that will raise the public's awareness on gender-based sexual harassment, inform the public about the prohibited acts and penalties for committing the same and promote the reporting and referral mechanisms and hotline numbers as provided under this Ordinance. The IEC materials shall be in print, such as leaflets, posters and stickers, among others, accessible through broadcast and social media platforms and must be in the local dialect or in Filipino.

Every barangay in the city, through its ASH/VAWC Desk shall produce, distribute and post in conspicuous places copies of the IEC materials mentioned above, including copies of the Safe Spaces Act and pertinent laws protecting women, girls, and persons of diverse sexual orientations and gender identities and expressions against violence and discrimination.

- d. Take the lead in facilitating or ensuring that designated ASHs are equipped with the required capacities.
- e. Take the lead in implementing initiatives developed by the Philippine Commission on Women (PCW) and the Department of the Interior and Local Government (DILG) in raising national awareness and such other responsibilities that may be identified by the PCW and DILG.

SECTION 6. Anti-Sexual Harassment Enforcers (ASHes) – Barangay Tanods and enforcers of the Muntinlupa Traffic Bureau (MTMB), Public Order and Safety Office (POSO) and City Security Office (CSO) shall be deputized as Anti-Sexual Harassment Enforcers (ASHes). They shall have the following functions:

- a) Immediately apprehend persons committing sexual harassment on the streets, in accordance with the applicable rules on arrests, with the duty to bring them to the nearest Philippine National Police (PNP) station;

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com

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- b) Receive complaints of sexual harassment and immediately refer the same to the proper authorities;
- c) Keep a ledger of offenders together with the women's and children's desks of PNP stations; and
- d) Assist the local unit of the PNP in the exercise of its functions under the Safe Spaces Act.

SECTION 7. Referral and Support Mechanisms – The following referral and support mechanisms shall be pursued to achieve the purposes of this Ordinance:

- a. **Anti-Sexual Harassment Desk** -- The City Government shall establish an Anti-Sexual Harassment (ASH) Desk for purposes of expediting the receipt and processing of complaints and reports of sexual harassment in the city. The ASH Desk shall have the following functions:
 - a. **Receive, document, and respond to complaints and reports of sexual harassment;**
 - b. **Facilitate the referral of cases and persons to the appropriate public and private service providers for legal, medical, psychosocial, safety, security, and other services;**
 - c. **Record the number of sexual harassment cases received and referred and submit a quarterly report to the DILG City Field Office;**
 - d. **Keep case records confidential and secure and ensure that only authorized personnel have access to these records; and**
 - e. **Assist in the formulation and update of local policies and mechanisms, as well as educational and awareness campaigns, in addressing gender-based sexual harassment.**

Pursuant to Ordinance No. 15-144, VAWC Desks established in all the nine (9) barangays of the city shall concurrently serve as Anti-Sexual Harassment (ASH) Desks for purposes of expediting the receipt and processing of complaints and reports of gender-based sexual harassment in the barangays.

- b. **ASH Sub-Committee** -- An ASH Sub-Committee within the Technical Working Group (TWG) of the Muntinlupa City GAD Focal Point System (MCGFPS) is hereby created to supervise, support, and be responsible for the operations of the ASH Desk in the city hall. The ASH Sub-Committee shall be composed of representatives from:
 - i. **the CSWDO;**

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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- ii. *the PNP office or station;*
- iii. *the Public Order and Safety Office (or its equivalent);*
- iv. *the Office of the President of the Liga ng mga Barangay;*
- v. *CSOs actively working on issues affecting women; and*
- vi. *CSOs actively working on issues affecting LGBT persons.*

c. **ASH Desk Officer** – The City Government shall designate an ASH Desk Officer who shall possess attitudes that show empathy and understanding of the victim-survivor and committed to keep the confidentiality of cases. The ASH Desk Officer, who shall preferably be a woman, shall have the following qualifications:

- i. Trained to be gender-responsive and gender-sensitive, knowledgeable about gender-based violence and the different forms of sexual harassment, and oriented on gender equality and the diversity of sexual orientations and gender identities and expressions;
- ii. Trained to handle cases of gender-based violence and sensitive to the needs of victims-survivors and complainants in each possible scenario;
- iii. Familiar with cases that may be brought to the ASH Desk that could be covered by other laws, including but not limited to the following:
 1. **Anti-Sexual Harassment Act (R.A. No. 7877);**
 2. **Anti-Violence Against Women and Their Children Act (R.A. No. 9262);**
 3. **Anti-Photo and Video Voyeurism Act (R.A. No. 9995);**
 4. **Anti-Child Pornography Act (R.A. No. 9775);**
 5. **Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (R.A. No. 7610);**
 6. **Anti-Trafficking in Persons Act (R.A. No. 9208);**
 7. **Provisions of the Revised Penal Code which are related to gender-based violence; and**
 8. **Relevant provisions of the Family Code.**
- iv. Well-informed about all the remedies provided for under the law, as well as the services of the city/municipal government and those provided under the ASH Referral Network.

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People's Center Building, Putatan, Muntinlupa City, Philippines 1773

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Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com





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All VAWC Desk persons designated pursuant to Ordinance No. 15-144 shall concurrently serve as ASH Desk Officers. The City government shall undertake measures that are designed to capacitate VAWC Desk persons to effectively perform their duties and responsibilities as concurrent ASH Desk Officers.

d. **Anti-Sexual Harassment Hotline** – The City-assigned emergency HOTLINE 137175 shall temporarily serve as the ASH Hotline under this Ordinance until a designated hotline is created to accept calls only on matters/complaints provided in this ordinance:

1. The hotline shall have the following functions:

- i. Receive complaints, reports, and inquiries involving sexual harassment through the Emergency Hotline 137175 and respond to urgent situations as necessary;
- ii. Facilitate the referral of cases and persons to the appropriate public and private service providers for legal, medical, psychosocial, safety, security, and other services;
- iii. Respond to questions related to the Safe Spaces Act and other related laws, ordinances, rules, and regulations;
- iv. Inform victims and complainants of the remedies available to them under the law;
- v. Record, maintain, monitor, and update a database of complaints, reports, and inquiries conveyed through the Emergency 137175 Hotline; and
- vi. Perform other related functions as may be assigned.

2. The SAGIP ng Muntinlupa Program Office shall primarily be responsible in implementing this provision. Within 60 days from the affectivity of this Ordinance, the City Mayor shall, as far as practicable, designate emergency telecommunicators or agents whose numbers shall correspond to the task of efficiently and effectively receiving calls through the **DRRMO Hotline 137175**, twenty-four (24) hours a day and seven (7) days a week. The emergency telecommunicators or agents shall possess the same qualifications as ASH Desk Officers and shall be provided the necessary training and capacity development by the GAD Office.

3. The following minimum guidelines shall be strictly observed:

- i. The hotline shall be toll-free;

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ii. Written records and audio recordings of complaints, reports and inquiries involving sexual harassment shall be preserved and kept confidential and secure at all time. Such records shall be preserved in accordance with existing laws, rules and regulations on the matter. As such, the responders shall ensure that no use, viewing, copying, disclosure or publication of such written records shall be made unless, the same is ordered by the court or other body with competent jurisdiction; and

iii. Regular information dissemination of the Anti- Sexual Harassment Hotline shall be made in every barangay, public and private offices, establishments and schools within the city.

e. **ASH Referral Network** – The City Mayor shall, within thirty (30) days after the effectivity of this Ordinance, convene the ASH Sub-committee of the MCGFPS to take the lead in the creation of the ASH Referral Network which must be in full operation within sixty (60) days from the time the ASH Subcommittee is convened. The ASH Referral Network shall serve to strengthen the coordination and collaboration between and among agencies, offices, NGOs/CSOs and private groups at the local level in providing comprehensive services that will prevent and respond to sexual harassment cases and address the needs of the victim-survivor.

It shall provide services encompassing the medical/health, psychological, social, economic, legal and spiritual needs of the victim-survivor. As such, the referral network shall be composed of representatives from the following:

- i. **VAW/ASH Desk of every barangay in the city;**
- ii. **City Health Office;**
- iii. **Social Welfare and Development Office;**
- iv. **PNP Women and Children Desk;**
- v. **Office of the City Prosecutor or the Public Attorney's Office; and**
- vi. **Non-government organizations (NGOs) or civil society organizations (CSOs) involved in gender equality and human rights and those providing medical, psycho-social, economic, legal and social services.**

A focal person shall be designated, respectively, by each of these offices, agencies and organizations. The focal person shall be responsible for the processing of referrals made to them and efficiently providing the appropriate service/s needed.

f. **Memorandum of Agreement.** – A Memorandum of Agreement (MOA) shall be entered into between the City Government, through the City Mayor, and the service providers in the referral network, stating therein the protocols and procedures to be observed in facilitating the receipt, documentation, response and referral of complaints and reports of all forms of sexual harassment, including their specific roles and responsibilities under the referral system.

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com

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The ASH Sub-committee shall convene and facilitate stakeholders' meetings or workshops to map-out and identify relevant resources and services available in the community and develop the protocols and procedures of the referral network.

SECTION 8. Katarungang Pambarangay -- Any deputized ASHE who receives a complaint for sexual harassment shall only refer the complaint to the *Lupong Tagapamayapa* if the same falls strictly within the coverage of the *Katarungang Pambarangay*.

a. The following cases of gender-based sexual harassment are not covered by the *Katarungang Pambarangay* and shall be referred to the local PNP women and children's desk or to the proper officer or court for appropriate action:

- i. Offenses under the Anti-Sexual Harassment Act of 1995;
- ii. Offenses under the Safe Spaces Act, other than the first and second offenses in Section 11 (a) of the Act;
- iii. Offenses under the Anti-Violence Against Women and their Children Act, the Anti-Photo and Video Voyeurism Act, the Anti-Child Pornography Act, the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act, and the Anti-Trafficking in Persons Act;
- iv. Violations of ordinances punishable by imprisonment exceeding one year or a fine exceeding P5,000.00;
- v. Where one party is a public officer or employee, and the dispute relates to the performance of his official functions;
- vi. Disputes involving parties who actually reside in barangays of different cities or municipalities, except where such barangay units adjoin each other and the parties thereto agree to submit their differences to amicable settlement by an appropriate *Lupon*; and
- vii. Other cases not covered by the *Katarungang Pambarangay* under the Local Government Code and other relevant laws, rules, and regulations.

b. Parties to a gender-based sexual harassment case may opt to go directly to court in the following instances:

- i. Where the accused is under detention;
- ii. Where a person has otherwise been deprived of personal liberty calling for habeas corpus proceedings;
- iii. Where actions are coupled with provisional remedies such as preliminary injunction, attachment, delivery of personal property and support *pendente lite*; and
- iv. Where the action may otherwise be barred by the statute of limitations.

By [Signature]
 People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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SECTION 9. Installation of CCTV Cameras in the City. – To aid in the filing of cases and gathering of evidence, the City Government, through the **Department of Disaster Risk Reduction and Management (DDRRM)**, shall:

- a. Install and operate CCTV cameras in different areas of the city such, as but not limited to, primary, secondary and tertiary roads, sidewalks, parks, playgrounds and such other areas frequented by the public within the jurisdiction of the city.;
- b. Keep the daily video recording with a digital format and preserve the same for a period consistent with the provisions of existing laws, rules and regulations on the matter for the purpose of providing surveillance in the service of law enforcement and crime prevention within the city/municipality. After such period, the data shall be deleted;
- c. Maintain the confidentiality of the video feeds and recordings obtained. The DRRMO shall ensure that no use, viewing, copying, disclosure or publication of the video feeds and recordings shall be made except for purposes mentioned in the preceding paragraph and for other legitimate purposes it may serve upon written order of any court or body with competent jurisdiction; and
- d. Encourage all barangays within the city to install and operate a CCTV system in roads, public streets, alleys and sidewalks within their respective territorial jurisdictions;

SECTION 10. Community Service – For purposes of implementing the community service of offenders of the Safe Spaces Act, the Social Services Department (SSD), in partnership with the Gender and Development (GAD) Office shall:

- a. Formulate a community service program that will help an offender develop gender sensitivity and respect for human rights, instill civic consciousness and contribute to the improvement of a public work or promotion of public service;
- b. Conduct a case study of the offender to determine the appropriate program to be performed under the community service and endorse the same to the VAW/ASH Desk of the barangay where the community service shall be undertaken for coordination and assistance;
- c. Provide a gender sensitivity seminar to be conducted by the GAD and other relevant offices of the City Government;
- d. Supervise and evaluate the conduct of the community service; and
- e. The SSD shall prepare a final case report with recommendations which shall be endorsed to the Philippine National Police (PNP). The final case report may be used as basis in the issuance of certificate of completion mandated under DILG-PCW JMC No. 2020-001.

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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SECTION 11. Gender Sensitivity Orientation for Tricycle, Pedicab and Motorized Pedicab Drivers and Operators. -- The GAD Office shall conduct seminars for tricycle, pedicab and motorized pedicab drivers and operators to orient them on gender sensitivity and pertinent laws protecting women, girls, and persons of diverse sexual orientations and gender identities and expressions against violence and discrimination shall be required. Stickers and/or certificates shall be issued to tricycle, pedicab and motorized pedicab drivers or operators who have undergone such seminars.

SECTION 12. Compliance of Educational and Training Institutions -- The City Government shall ensure the compliance of all education and training institutions within its jurisdiction on the provisions of Section 21 of Republic Act No. 11313 (RA 11313). All education and training institutions shall, within sixty (60) days upon the effectivity of this Ordinance, submit to the GAD Office a written communication attesting to its compliance of the provisions of Section 21 of RA 11313 and all documents related thereto.

SECTION 13. Designation of Anti-Sexual Harassment Officer in Private Establishments (ASHO) -- All private establishments in the City of Muntinlupa shall provide a safe and gender-sensitive environment for their employees. Private establishments with at least thirty (30) employees may designate at least one (1) Anti-Sexual Harassment Officer (ASHO) who shall perform the functions enumerated hereunder:

- a) Receive complaints of sexual harassment committed within their premises and accompany victims to the nearest medical facility, when immediate medical attention is needed;
- b) Provide appropriate assistance to victims of gender-based sexual harassment, such as assessing the risk and immediate need of the victim, coordinating with local police authorities immediately after gender-based sexual harassment is reported and accompanying the victim to other agencies which can provide the necessary assistance. Toward this end, the ASHO shall;
- c) Preserve evidence related to any complaint or report of gender-based sexual harassment, including CCTV footage, and provide access to the same when so ordered by the appropriate authorities;
- d) Ensure that the establishment is a safe and gender-sensitive environment to encourage victims to report gender-based sexual harassment as soon as it happens. This may be done by:
 - i. Maintaining, within the establishment, a secure and private area where the victim can narrate the relevant events and, whenever possible, provide an online platform for reporting gender-based sexual harassment; and

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- ii. Installing, posting and maintaining in the business establishment clearly visible warning signs against gender-based sexual harassment, including the anti-sexual harassment hotline number(s) of the city/municipality and the contact number of the nearest police station, in bold letters: *Provided*, That the warning signs must be readable, written in a language that is understandable by customers, and placed in a conspicuous area within the vicinity of the establishment.

The GAD Office shall provide an orientation seminar for ASHOs to equip them with the necessary knowledge to be able to perform their functions. It shall also develop a system that shall ensure that reports and/or complaints of gender-based sexual harassment committed in these establishments are addressed and reported by ASHOs in an efficient and effective manner.

SECTION 14. Assistance to Employers in the Development of a Code of Conduct and in the Formation of a Committee on Decorum and Investigation – The MCGFPS TWG shall extend its services to employers both from the public and private sector as well as heads of educational and training institutions who shall seek assistance in the development of a Code of Conduct and in the formation of a Committee on Decorum and Investigation (CODI) as provided under Rule VIII, Sections 32 and 33 of the Implementing Rules and Regulations of Republic Act No. 11313. For this purpose, it shall train and develop a pool of resource persons to carry out this mandated task.

SECTION 15. Assistance to Victims of Online Sexual Harassment –The SAGIP Program Office shall create a secure electronic mail (e-mail) address or portal in the official website of the city government where online sexual harassment complaints may be received, documented and subsequently referred to the PNP Anti-Cybercrime Group (PNP). Such email address or portal shall only be accessible to an anti-sexual harassment officer so designated for this purpose, for the protection of the victims and to maintain the confidentiality of cases.

SECTION 16. Reporting – Pursuant to the required initial reporting under DILG-PCW JMC No. 2020-01, the ASH Desk Officer shall, within sixty (60) days from the effectivity of this Ordinance, prepare the following documents and submit them to the City Field Office of the DILG:

- a. A list and copies of all ordinances, resolutions, and local issuances related to sexual harassment; and
- b. A description of the projects, activities, and programs undertaken by the city/municipal government to comply with its duties and responsibilities under the Safe Spaces Act and these Guidelines.

SECTION 17. Safety Audit –The City Government shall regularly prepare and submit every semester, the Safety Implementation Reports (SIRs) and Safety Audit Reports (SARs) required under the safety audit under DILG-PCW JMC No. 2020-01 to be conducted by the Committee on Anti-Trafficking and -VAWC (RCAT-VAWC).

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a. **Indicators.** – The ASH Desk Officer shall keep a record and documentation of the following data identified as indicators to be incorporated in the SIRs and SARs:

- i. Number of complaints for sexual harassment received by local PNP offices, ASHEs, ASHOs in private establishments, local ASH Desks, and local ASH Hotlines, and the actions taken thereon;
- ii. Number of persons detained and number of persons apprehended for sexual harassment, categorized into arrests based on warrants and warrantless arrests;
- iii. Number of persons who attended gender sensitivity seminars after being found guilty of the crime of gender-based streets and public spaces sexual harassment;
- iv. Number of sexual harassment cases referred to the *Lupong Tagapamayapa*;
- v. Number of ASHEs in proportion to local population;
- vi. Number of private establishments accessible to the public and number of those which have installed warning signs, designated ASHOs, installed CCTV cameras, and developed protocols to address gender-based sexual harassment;
- vii. List of locations where copies of the Safe Spaces Act and its counterpart ordinances are posted;
- viii. List of locations of CCTV cameras in the city and in the barangays;
- ix. List of roads, alleys, and sidewalks and portions thereof which are not covered by CCTV cameras;
- x. Existence of ASH Hotlines;
- xi. List of ASH Desks in the city and list of barangays with and without ASH Desks;
- xii. Number of requests for psychological counselling received by LGUs and the actions taken thereon; and
- xiii. Other relevant indicators as may be required by the DILG.

b. **Barangay Safety Audits** – The City Government, through the Local Council on Anti-Trafficking-Violence Against Women and Children (LCAT-VAWC), shall conduct a safety audit of all barangays within its jurisdiction using the same indicators enumerated in the preceding section. The SIRs and SARs shall thereafter be submitted to the RCAT-VAWC on or before every 15th of January and July of the following year.

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 People's Center Building, Putatan, Muntinlupa City, Philippines 1773
 Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com





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SECTION 18. Multi-Sectoral Participation -- In the conduct of safety audits and the preparation of IRs and SARs, the Barangay GFPS and the CCAT-VAWC shall involve the participation of representatives from the following:

- a. Schools, including Local Universities and Colleges (LUCs) and State Universities and Colleges (SUCs);
- b. Private business establishments;
- c. Labor unions and workers' associations;
- d. Local PNP office; and
- e. CSOs actively working on issues affecting women and LGBT persons, especially on gender-based violence.

SECTION 19. Administrative Liability -- Any city official or employee tasked to perform specific functions under this Ordinance who shall fail or refuse, without any justifiable reason, to perform such functions, shall be administratively liable.

SECTION 20. Applicability of Penalty/ies Imposed by National Law. The penalty/ies imposed for the infraction of the provision/s of RA 11313 shall likewise be the imposable penalty/ies for violation of this ordinance;

SECTION 21. Funding -- All mechanisms, awareness campaigns, training activities, and other related initiatives under this Ordinance, including the establishment and operation of ASH Desks and hotlines, shall be charged against the GAD budget and the local development fund of the city and the barangays.

SECTION 22. Repealing Clause -- All ordinances, resolutions, memorandum circulars, rules and regulations inconsistent with the provisions of this Code are hereby repealed or modified accordingly.

SECTION 23. Separability Clause -- If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 24. Effectivity -- This Ordinance shall take effect fifteen (15) days from its publication in a newspaper of general circulation.

ENACTED, by the 10th Sangguniang Panlungsod of Muntinlupa, this 8th day of May 2023, on its 44th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
 Member

COUN. ALEXSON V. DIAZ
 Member

N^o 25-0473

People's Center Building, Putatan, Muntinlupa City, Philippines 4773
 Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com



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[Signature]
COUN. PATY KATY C. BONCAYAO
 Member

[Signature]
COUN. ATTY. RACHEL KATRIEL ANN C. ARCIAGA
 Member

[Signature]
COUN. IVEE RHIA A. TADEFA
 Member

[Signature]
COUN. ALLAN REY A. GAMILON
 Member

[Signature]
COUN. JEDIDIAH R. PRESNEDI, LPT
 Member

[Signature]
COUN. TING D. NIEFES
 Member

DISTRICT 2:

[Signature]
COUN. MARK LESTER M. BAES
 Member

[Signature]
COUN. FRANCIS IANT. BAGATSING
 Member

[Signature]
COUN. LUVI P. CONSTANTINO
 Member

[Signature]
COUN. ENGR. MAMERTO T. SEVILLA, JR.
 Member

[Signature]
COUN. ENGR. MARISSA C. RONGAVILLA
 Member

[Signature]
COUN. ENGR. ARLENE D. HILAPO
 Member

[Signature]
COUN. CORNELIO M. MARTINEZ
 Member

[Signature]
COUN. RODOLFO W. MOLDEZ, JR.
 Member

Sectoral Representative:

COUN. WALTER A. ARCILLA
 President
 Association of Barangay Chairman

[Signature]
COUN. KENICHI D. TAKAGI, JR.
 President
 Federation of Sangguniang Kabataan

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I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

[Handwritten Signature]

CECILIA C. LAZARTE
 Secretary to the Sanggunian

ATTESTED:

[Handwritten Signature]

ARTEMIO A. SMUNDAC
 City Vice-Mayor/Presiding Officer

APPROVED:

[Handwritten Signature]
ROZZANO RUFINO B. BIAZON
 City Mayor

Date: 15 MAY 2023

No. 10th SP

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