

THIRTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*

} '04 JUN 30 P5:51  
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S E N A T E

S. No. 476

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Introduced by Senator S. R. Osmeña III

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#### EXPLANATORY NOTE

Studies of economic development show that the massive employment of women in commercial and industrial ventures was one of the main factors underlying rapid economic growth in the development of Western economies. The technological innovations early in the 21<sup>st</sup> century enabled more and more women to move out of their homes to join the labor market leading to quantitative and qualitative changes in economic output. An expanded role in political life has also matched the increasing participation of women in the economy.

Insights from the more recent experiences of developing countries such as India and Bangladesh also show that the increased participation of women in market activities especially in rural areas contributed significantly to poverty alleviation, and to the development of vigorous self-help communities.

Meanwhile, the recently evolving roles of women need to be balanced with society's continuing need for homemakers - wives and mothers who must continue to nurture the family as the basic social unit, and to mold the next generation in the humanist values that must be preserved and propagated to build a kinder, gentler society for the future.

The United Nations General Assembly declared 1975 as the "International Women's Year" with its central theme of "Equality, Development and Peace". Presidential Decree 633 created the National Commission on the Role of Filipino Women (NCRFW) as an *ad hoc* commission to prepare the local programs in response to this UN Declaration. More than a decade hence, there is a need to institutionalize the functions of the NCRFW to pursue policies aimed at the full integration and mobilization of women in the national economic and political and cultural life.

This bill proposes the creation of the National Commission on Women which will absorb the functions of the NCRFW on a more permanent basis. Among others, the Commission will be mandated to articulate the women's perspective in government, formulate and implement policies that will seek to maximize the benefits to society from

harnessing women's creativity and ingenuity in the nation's economic, political, social and cultural life.

In view of the foregoing, the immediate approval of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read "S. Osmeña III".

**SERGIO OSMEÑA III**  
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC  
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RECEIVED BY: *Osmeña*

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AN ACT  
ESTABLISHING THE PHILIPPINE COMMISSION ON WOMEN,  
DEFINING ITS POWERS AND APPROPRIATING FUNDS THEREFOR

*Be it enacted by the Senate and House of Representatives of the  
Philippines in Congress assembled:*

1 SECTION 1. *Title.* – This Act shall be known as the “**Philippine**  
2 **Commission on Women Act of 2004**”.

3 SEC. 2. *Declaration of Policy.* – The State recognizes the role of  
4 women in nation-building and shall ensure the fundamental equality before  
5 the law of women and men. The State shall provide women equal rights  
6 and opportunities as that of men.

7 SEC. 3. *Creation of the Philippine Commission on Women.* – To  
8 carry out the purposes of this Act, the Philippine Commission on Women  
9 (PCW), hereinafter referred to as the Commission, is hereby established.  
10 The Commission shall have the status and category of a governmental  
11 national agency attached to the Office of the President.

12 SEC. 4. *Objectives of the Commission.* – The objectives of the  
13 Commission are:

14 (a) To provide the leadership and direction to the integration of  
15 women as full and equal partners in development and nation-

1 building, particularly giving emphasis to grass-roots  
2 participation; and

- 3 (b) To encourage participation of all sectors, government and  
4 private, in all efforts for the promotion and development of  
5 women.

6 SEC. 5. *Functions of the Commission.* – The Commission shall  
7 have the following functions:

- 8 a) To advise the President and the Cabinet in formulating policies  
9 and plans for the integration and mobilization of women in  
10 national development based on equality of protection and  
11 opportunity;
- 12 b) To serve as a rallying agency for women in the national and  
13 international levels;
- 14 c) To formulate policies, set priorities and coordinate the  
15 preparation of national development plans for women;
- 16 d) To monitor compliance with laws and coordinate with  
17 government agencies in the implementation of laws and policies  
18 affecting women;
- 19 e) To serve as a data base and information center for women;
- 20 f) To provide support to NGOs through networking, technical  
21 assistance and fund intermediation;
- 22 g) To conduct research on gender integration and development;
- 23 h) To undertake continuing advocacy through mass media.

24 SEC. 6. *Composition of the Commission.* – The powers and  
25 functions of the Commission shall be exercised by a Board of  
26 Commissioners hereinafter referred to as the Board, which shall be  
27 composed of nineteen (19) members, including the Chairperson, qualified  
28 and/or represented as follows:

1 a. A Chairperson with previous experience in women in national  
2 and international development work. The Chairperson shall  
3 have the rank of an Undersecretary;

4 b. Nine (9) members, representing the Departments of Labor and  
5 Employment, National Economic and Development Authority,  
6 Social Welfare and Development, Agriculture, Education,  
7 Culture and Sports, Health, Foreign Affairs, Interior and Local  
8 Government, and Trade and Industry with Undersecretary-level  
9 positions;

10 c. Nine (9) members coming from non-governmental  
11 organizations, representing media, the arts, the academe, the  
12 cultural communities, the Muslim and non-Muslim groups, urban  
13 and rural poor, the youth, and business and industry, and  
14 women networks;

15 The members of the Board including the Chairperson shall be  
16 appointed by the President of the Philippines.

17 SEC. 7. *Qualification.*- No person shall be appointed as member  
18 to the Board unless she is a natural-born citizen of the Philippines; of good  
19 moral character; of unquestioned integrity and responsibility and who has  
20 recognized expertise or exposure or experience in women-related issues.

21 SEC. 8. *Term of Office.* - The term of office of the members of the  
22 Board shall be co-terminus with that of the term of the President:  
23 *Provided,* That the members of the existing Board of the National  
24 Commission on the Role of Filipino Women shall complete their terms of  
25 office. Any vacancy in the Board created by death, resignation or removal  
26 of an appointive member shall be filled by the appointment of a new  
27 member to complete the unexpired period of the term of the member  
28 concerned.

1           SEC. 9. *Meeting.* – The Board shall meet at least once a month on  
2 such day as it may fix. Special meetings may be convoked upon the call of  
3 the Chairperson. The presence of ten (10) members shall constitute a  
4 quorum and no decision shall be made without the concurrence of at least  
5 ten (10) members. In the absence of the Chairperson, a temporary  
6 presiding officer may be designated by a majority of the Board.

7           SEC. 10. *Powers and Duties of the Board of Commissioners.* –  
8 For the attainment of its objectives as set forth in Section 4 hereof, the  
9 Board shall the following powers and duties:

- 10           a. To determine the organizational structure of PCW;
- 11           b. To prescribe policies, adopt plans and programs, formulate,  
12           review and monitor the implementation of rules, regulations and  
13           procedures governing the operations of the PCW;
- 14           c. To approve annual or supplemental budgets of the PCW as  
15           recommended by the Executive Director;
- 16           d. To authorize appropriation of special funds for projects or  
17           activities outside the regular programs of the agency;
- 18           e. To issue memorandum circulars, guidelines and other  
19           pronouncements pursuant to its functions;
- 20           f. To enter into contracts and to engage the services of NGOs,  
21           experts and institutions in the implementation of its plans and  
22           activities;
- 23           g. To appoint and/or recommend official delegates to international  
24           conferences related to women's concern;
- 25           h. To acquire, use and administer any land, building, facilities,  
26           equipment, tools and/or exercise rights of possession or  
27           ownership thereof, as may be necessary or expedient for the  
28           attainment of the purposes of this Act;

- 1 i. To solicit and accept, on behalf of the PCW, donations, gifts,  
2 grants or bequests in pursuit of its mandates and objectives;  
3 and  
4 j. To perform such other acts as it may deem appropriate for the  
5 proper enforcement of this Act.

6 SEC. 11. *Powers and Duties of the Chairperson.* - The  
7 Chairperson shall have the following powers and duties:

- 8 a. To call and preside over the meetings of the Board;  
9 b. To prepare the agenda for the meetings of the Board and to  
10 submit for the consideration of the Board the policies and  
11 measures which she believes to be necessary to carry out the  
12 purposes of this Act.  
13 c. To constitute special committees composed of members of the  
14 Board of such other experts as may be deemed necessary.  
15 d. To perform such other related functions as may directed by the  
16 President.

17 SEC. 12. *Remuneration.* - The members of the Board shall  
18 receive a per diem of not more than One Thousand Pesos (P1,000.00) for  
19 each meeting of the Board actually attended: *Provided, however,* That the  
20 total per diems paid to a Board member shall not exceed the sum of Four  
21 Thousand Pesos (P4,000.00) in any one month.

22 SEC. 13. *Executive Director, Appointment, Term and*  
23 *Qualifications.* - There shall be an Executive Director who shall be  
24 appointed by the President of the Philippines on recommendation of the  
25 Board. The Executive Director shall be the administrative officer of the  
26 Board. He shall have had adequate training and/or expertise in women's  
27 development work with managerial capability. His term of office shall be  
28 co-terminus with the President of the Philippines and shall received a  
29 compensation as may be determined by the Board.

1           SEC. 14. *Duties of the Executive Director.* – The Executive  
2 Director shall have the following powers and duties:

- 3           a. Implement the policies and programs formulated by the Board;
- 4           b. Supervise the staff and administer the day-to-day operations of  
5           the Commission;
- 6           c. Prepare, disburse, and administer the approved budget of the  
7           Commission;
- 8           d. Appoint, subject to Civil Service Law, the officers and staff of the  
9           PCW, provided that appointments for positions of Deputy  
10           Director and Division Chiefs shall be subject to ratification of the  
11           Board.

12           SEC. 15. *Other Officials and Employees of the Commission.* –  
13 The Executive Director shall be assisted by three (3) Deputy Directors as  
14 follows:

- 15           a. One (1) Deputy Director for Legislation, Research Data-base  
16           and Information Center and Planning;
- 17           b. One (1) Deputy Director for Media, Special Concerns,  
18           Capability-building and Networking; and
- 19           c. One (1) Deputy Director for Administration including foreign-  
20           assisted projects.

21           SEC. 16. *Divisions of the Commission.* – There shall be  
22 established nine (9) divisions in the Commission composed of the  
23 following:

- 24           a. Administrative – legal; budget, accounting, cashiering,  
25           supplies, records, general services/maintenance, foreign-  
26           assisted projects.
- 27           b. Planning – technical assistance, planning, monitoring and  
28           evaluation.



- 1 c. Capability Building – training and resource intermediation for  
2 NGOs.
- 3 d. Data and Information Center – statistics, library, packaging  
4 and dissemination.
- 5 e. Research – includes basic and applied research.
- 6 f. Media – public education, quick response, popularization of  
7 policies and laws.
- 8 g. Legislative – lobbying, bill drafting and commenting, liaison  
9 with legislative branch.
- 10 h. Networking – international, local NGOs and LGUs.
- 11 i. Special Concerns – to handle issues like violence against  
12 women, migration, etc.

13 SEC. 17. *Assistance by Government Entities.* – The Commission  
14 may call upon any government entity for assistance in the performance of  
15 its functions and duties.

16 SEC. 18. *Appropriation.* – There is hereby appropriated the sum of  
17 Twenty-Five Million Pesos (P25,000.00) out of the funds of the National  
18 Treasury not otherwise appropriated, for the organizational and  
19 operational expenses of the Commission: *Provided,* That the operating  
20 expenses of the Commission shall not exceed twenty percent (20%) of its  
21 annual appropriation and that at least eighty percent (80%) of said annual  
22 appropriation shall be disbursed for the national development plan for  
23 women particularly on gender responsiveness: *Provided, finally,* That the  
24 amount stated in the preceding paragraph shall automatically be included  
25 in the General Appropriations Act.

26 SEC. 19. *Abolished Agencies.* - The National Commission on the  
27 Role of Filipino Women is hereby abolished and its functions, applicable  
28 appropriations, records, equipment, property, rights, claims and such other  
29 incidental things as may be necessary are transferred to the Commission:

1 *Provided*, That employees of the National Commission on the Role of  
2 Filipino Women, particularly the rank and file, shall be absorbed by the  
3 Commission.

4 SEC. 20. *Repealing Clause.* - All laws, presidential decrees,  
5 executive orders, presidential proclamations, rules and regulations or  
6 parts thereof inconsistent with this Act are hereby repealed or modified  
7 accordingly.

8 SEC. 21. *Separability Clause.* - If any part of provision of this Act  
9 is held unconstitutional or invalid, other parts or provisions hereof which  
10 are not affected thereby shall continue to be in full force and effect.

11 SEC. 22. *Effectivity.* - This Act shall take effect after fifteen (15)  
12 days following its complete publication in at least two (2) newspapers of  
13 general circulation.

Approved,