

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session



Senate
Office of the Secretary

13 JUL -8 A8:28

SENATE

S.B. No. **528**

RECEIVED BY: *ja*

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to lessen the inequalities and provide equal opportunity between men and women in the areas of public governance by reserving certain percentages of positions in the different branches of government to qualified women.

Section 14 of Article 2 of the Philippine Constitution states that, "the State recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men." Pursuant to this, RA 7192 or an Act Promoting the Integration of Women as Full and Equal Partners of Men in Development and Nation-Building was enacted in 1992 to implement this State policy. Said Act provided the following provisions: that a substantial portion of official development assistance funds received from foreign governments and multilateral agencies and organizations shall be set aside and utilized by the agencies concerned to support programs and activities for women; the affirmation that women of legal age, regardless of civil status, shall have the capacity to act and enter into contracts; and that women shall be accorded equal opportunities for appointment, admission, training, graduation and commission in all military or similar schools of the Armed Forces of the Philippines and the Philippine National Police

The Government of the Philippines has also adopted the Philippine Plan for Gender Responsive Development for 1995-2025, which is the government's 30-year blueprint of policies, programs, projects and strategies wherein women, are both major participants and beneficiaries in national development. Since 1996, the General Appropriations Act (GAA), or government's budget, has included the so-called GAD or Women's Budget. This directs all government agencies to allocate five (5%) percent of their annual budgets to address gender issues.

Along with other landmark laws on women like Republic Act No. 8353 or The Anti-Rape Law which expanded the categorization of the crime of rape as crime against persons and not against chastity, Republic Act No. 8505 or the Rape Victim Assistance and Protection Act, which establishes Rape Crisis Centers all over the country, Republic Act No. 7877 or the Anti-Sexual Harassment Act, which declares sexual harassment unlawful in the employment, education and training environment, and Republic Act No. 6955 or the Anti-Mail Order Bride Scheme environment, the State has created an environment in which, at least legally, women are equal to men with regards to participating in governance and decision making.

However there are still significant constraints that adversely affect women's participation in public governance. To date, women's share in decision-making positions remains low. This pattern is also true in other institutions in both government and private sectors where women's participation also decreases as the position level goes up. This bill aims to address the discrimination experienced by women in the field of public service. This proposed measure reserves certain percentage in appointive positions in both national and local government, including the Armed Forces of the Philippines and the Philippine National Police to qualified women. Failure to comply will be meted out with a corresponding penalty, which includes imprisonment and/or fine.

In light of the importance of this piece of legislation to allow more meaningful participation of women in public governance, immediate passage of this bill is earnestly sought.




LOREN LEGARDA
Senator

13 JUL -8 AB 28

SENATE

S.B. No. **528**

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Introduced by Senator Loren Legarda

AN ACT
PROVIDING FOR WOMEN EMPOWERMENT AND FOR OTHER PURPOSES

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

1 **SECTION 1.** This Act shall be known and cited as the "Women Empowerment
2 Act of 2013."
3

4 **SECTION 2.** Appointive positions in the national and local government shall be
5 reserved to qualified women based on the following fraction and classification:
6

- 7 a) At least one-third (1/3) of the Cabinet;
8 b) At least one-third (1/3) of all undersecretaries and positions of comparable
9 salary grade or at least one in every line department, government-owned and
10 controlled corporations, government financing institutions, state colleges and
11 universities, and local government units: Provided, that in cases where there are
12 more than fifty percent (50%) of the women population occupying technical
13 positions in departments, offices, bureaus and agencies, the secretary or the head
14 agency shall be a woman and the proportion of one third (1/3) shall be increased
15 to two-thirds (2/3);
16 c) At least one-third (1/3) of all assistant secretaries in every department;
17 d) At least one-third (1/3) of all directors in every department;
18 e) At least one-third (1/3) of all chiefs of division in every department, bureau or
19 agency;
20 f) At least one-third (1/3) of all ambassadors and consular offices;
21 g) At least one-third (1/3) of all judges in all lower courts; and
22 h) At least one-third (1/3) of all prosecutors in department of justice.
23
24

1 It shall be the Civil Service Commission who shall enforce this provision.

2 **SEC. 3.** All duly-accredited political parties shall reserve at least one third (1/3) of its
3 party slate of official candidates to women in elections for the municipality/city
4 councils and provincial boards.

5
6 The Commission on Elections shall enforce this provision.

7
8 **SECTION 4.** Women in the Armed Forces of the Philippines shall be allowed
9 combat and security-related assignments.

10
11 The Armed Forces of the Philippines shall enforce this provision.

12
13 **SECTION 5.** All police stations shall establish an all-female unit to attend to
14 victims of rape, battering, incest and other crimes against women and chastity. For this
15 purpose, the Philippine National Police shall reserve at least thirty percent (30%) of all
16 items in each rank to women.

17
18 **SECTION 6.** All departments, bureaus, agencies, and other government-owned
19 and controlled corporations, in coordination with the National Commission on the Role
20 of Filipino Women (NCRFW), shall include in their human resource development
21 program, gender and development orientation, trainings, and seminars among others.

22
23 **SECTION 7.** At least one-third (1/3) of scholarships, grants, fellowships and
24 trainings in the National or Local governments, either in the Philippines or abroad, shall
25 be reserved for qualified women.

26
27 The Commission on Civil Service and the National Economic and Development
28 Authority shall enforce this provision.

29
30 **SECTION 8.** Nothing in this Act shall diminish the rights and privileges of
31 incumbent male employees.

32
33 **SECTION 9.** Persons who violate the provisions of this act shall be punished by
34 a fine not less than Fifty thousand pesos (P50,000.00) or imprisonment of not less than
35 one (1) year, nor more than six (6) years or both fine and imprisonment, at the discretion

1 of the court.

2 If the offender is a government official, he shall, in addition, be perpetually
3 disqualified from holding any public office.

4

5 **SECTION 10.** The National Commission on the Role Filipino Women, in
6 Consultation with the Civil Service Commission, the Commission on Election, the
7 Philippine National Police, and the National Economic Development Authority, shall
8 formulate the necessary guidelines to implement this Act.

9

10 **SECTION 11. *Repealing Clause.*** All laws, presidential decrees, executive orders,
11 rules and regulations, or parts thereof, inconsistent with this Act, are hereby repealed or
12 modified accordingly.

13

14 **SECTION 12. *Separability Clause.*** - If any provision of this Act is declared
15 invalid, the remainder of this Act or any provision not affected thereby shall remain in
16 force and effect.

17

18 **SECTION 13. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
19 publication in at least two (2) national newspapers of general circulation.

20

21 Approved,

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