

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

7 JUL -4 A8:53

SENATE
S.B. No. 936

RECEIVED BY: _____



Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to 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 II 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, Republic Act No. 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 provides 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; women of legal age, regardless of civil status, shall have the capacity to act and enter into contracts, and 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

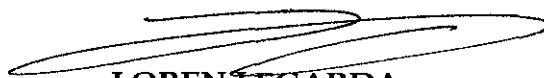
The Government of the Philippines has also adopted the Philippine Plan for Gender Responsive Development, 1995-2025, which is the government's thirty-year blueprint of policies, programmes, projects and strategies wherein women, are both major participants and beneficiaries in national development. Since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

Along with other landmark laws on women like Republic Act No. 8353, The Anti-Rape Law which expanded the definition 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 constraints that significantly affect women's participation in public governance. Thus, 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 view 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

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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:

SECTION 1. This Act shall be known and cited as the "Women Empowerment Act of 2007."

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

- a) At least one-third of the Cabinet;
- b) At least one-third of all undersecretaries and positions of comparable salary grade or at least one in every line department, government-owned and controlled corporations, government financing institutions, state colleges and universities, and local government units: Provided, that in cases where there are more than fifty percent (50%) women population occupying technical position in departments, offices, bureaus and agencies, the secretary or the head agency shall be a woman and the proportion of one-third shall be increased to two-thirds;
- c) At least one-third of all assistant secretaries in every department;
- d) At least one-third of all directors in every department;
- e) At least one-third of all chiefs of division in every department, bureau of agency;
- f) At least one-third of all ambassadors and consular offices;
- g) At least one-third of all judges in all lower courts; and
- h) At least one-third of all prosecutors in department of justice.

The Civil Service Commission shall enforce this provision.

SEC. 3. All duly accredited political parties shall reserve at least one third of its party elate of official candidates to women in elections for the municipality/city councils and provincial boards.

The Commission on Elections shall enforce this provision.

SEC. 4. Women in the Armed Forces of the Philippines shall be allowed combat and security-related assignments. The Armed Forces of the Philippines shall enforce this provision.

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

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

SEC. 7. At least one-third of scholarships, grants, fellowships and trainings in the National Local and governments, either in the Philippines or abroad, shall be reserved for qualified women.

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

SEC. 8. Nothing in this Act shall diminish the rights and privileges of incumbent male employees.

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

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

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

SEC. 11. All laws, presidential decrees, executive orders, rules and regulations, or parts thereof, inconsistent with this Act, are hereby repealed or modified accordingly.

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

SEC. 13. *Repealing Clause.* - All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this act are hereby repealed, amended or modified accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,