



Republika ng Pilipinas  
**SANGGUNIANG PANLUNGSOD NG MARIKINA**

**ORDINANCE NO. 065**  
Series of 2019

**ORDINANCE IMPLEMENTING THE “ANTI-DISCRIMINATION ORDINANCE OF MARIKINA CITY” AND PROVIDING PENALTIES FOR VIOLATION THEREOF**

**Introduced by :**

Councilor **PAUL B. DAYAO**  
Councilor **MARIO M. DE LEON**  
Councilor **MANUEL E. SARMIENTO**

Co-Sponsored by:

Councilor **JOSEPH B. BANZON**  
Councilor **DONN CARLO B. FAVIS**  
Councilor **SERAFIN Y. BERNARDINO**  
Councilor **RUBEN R. REYES**  
Councilor **LEANOR F. CARLOS**  
Councilor **THADDEUS ANTONIO M. SANTOS, JR.**  
Councilor **EVA AGUIRRE-PAZ**  
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Councilor **MARK ALBERT J. DEL ROSARIO**  
Councilor **ERNESTO M. FLORES**  
Councilor **LEVY D. DE GUZMAN**  
Councilor **RONNIE S. ACUÑA**  
Councilor **XYZA DIAZEN-SANTOS**  
Councilor **ZIFFRED A. ANCHETA**  
Councilor **JONAS MERVIN D. REYES**  
And  
Vice-Mayor **JOSE FABIAN I. CADIZ, M.D.**

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**WHEREAS**, pursuant to the provisions of the 1987 Philippine Constitution provides that the State shall promote social justice in all phases of national development;

**WHEREAS**, Section 11 of the said law further provides that the State values the dignity of every human person and guarantees full respect for human rights.

**NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF MARIKINA**, in session duly assembled that:

**SECTION 1. TITLE** – This Ordinance shall be known as “**Anti-Discrimination Ordinance of Marikina City**”.

**SECTION 2. DEFINITION OF TERMS:**

1. **Discrimination** – any act or conduct which withholds, excludes, restricts, curtails, demeans human dignity or otherwise impairs the recognition, enjoyment and exercise of human rights and basic freedom in the economic,

labor, social, cultural, educational or any other field of public life based on sex, gender identity, sexual orientation, race, color, descent, national or ethnic origin, religious affiliation or belief.

2. **Gender Identity** – refer to one’s innermost concept of self as male, female, a blend of both, or neither. It is how individuals perceive themselves and what they call themselves. One’s gender identity can be the same or different from their sex assigned at birth.
3. **Sexual Orientation** – refers to the inherent or immutable enduring emotional romantic, or sexual attraction to other people. How one thinks of oneself in terms of to whom one is romantically or sexually attracted

**SECTION 3. ACT OF DISCRIMINATION.** - Act of discrimination is committed when a person withholds from, excludes, restricts, curtails, demeans human dignity or otherwise impairs the recognition, enjoyment and/or exercise of a right or basic freedom, of another, to which others similarly situated or circumstanced are extended or which they are allowed to enjoy or exercise, in employment, education, shelter and delivery of basic goods and services, on the basis of sex, gender identity, sexual orientation, descent, religious affiliation or belief. The following constitute acts of discrimination and are therefore punishable:

- 3.a By Refusing employment to a job applicant or imposing onerous or additional terms of conditions which are not imposed on another or circumstanced, on the basis of sex, gender identity, sexual orientation, religious affiliation or belief and denying or limiting access to an employee, opportunities for promotion, transfer, training, schooling or to any other benefit which are otherwise granted to other employees similarly situated or circumstanced;
- 3.b By refusing or failing to accept any person for admission as a student in any public or private educational and/or vocational institution, or by subjecting said person to terms and conditions for his acceptance in the said institution which are not imposed on applicants or students similarly circumstanced as him, or limiting the access of a student to any benefit or privilege provided by said educational or vocational institution;
- 3.c By refusing to provide goods or services and/or imposing onerous terms or conditions as a requisite for providing goods or services to a person which are not refused or subjected to such onerous terms or conditions when extended to others similarly circumstanced;
- 3.d By refusing or failing to allow any person, by reason of his sex, gender identity, sexual orientation, religious affiliation or belief, to avail of quarters or accommodation in a house, apartment, condominium, townhouse, flat, hotel, inn, dormitory or any other places of dwelling being rented out or offered to the public for a fee, rental or other forms of compensation;
- 3.e By subjecting either by verbal or written word or publication, to ridicule or insult or attributing despicable behavior and habits or associating with violence and criminal activities, any person or group of persons;
- 3.f By refusing entry into restaurants, bars, stores, movie houses, malls and other places of entertainment and businesses which are open to the general public, or refusing or failing to attend to or serve the orders for food, drinks, beverages



and other goods, consumable and non-consumable;

- 3.g By doing any other analogous act which demeans the dignity and self-respect of a person or impairs, mars, reduces or nullifies the recognition, enjoyment or exercise of his human and legal rights and basic freedoms in the political, labor, economic, social, cultural and educational spheres.

**SECTION 4. PERSONS LIABLE.** Any person, natural or juridical, who commits any of the Acts herein prohibited and enumerated in the immediately preceding section shall be criminally liable therefore, and penalized accordingly, provided that in the case of a juridical person such as, but not limited to, corporations, associations, partnerships, educational and vocational institutions, whether public or private, the manager, head and the officers thereof shall also be criminally accountable and responsible.

**SECTION 5. PENALTY CLAUSE.** Any person held liable under this Ordinance shall be penalized with imprisonment for a period of not less than sixty (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 6. COMPOSITION OF THE ANTI-DISCRIMINATION COUNCIL.** There is hereby created the Anti-Discrimination Council, composed of the following:

1. City Mayor
2. Chairperson of the Committee on Women, Family Affairs and Gender Equality and Committee on Human Rights and Justice
3. Head of the Gender and Development Office (GAD)
4. City Legal Officer
5. Head of the City Health Office (CHO)
6. Head of the Labor Relations and Public Employment Service Office (LRPESO)
7. City Superintendent of City Schools of the Department of Education
8. Three (3) representatives from the LGBTQIA+ Sector

**SECTION 7. DUTIES AND RESPONSIBILITIES OF THE ANTI-DISCRIMINATION COUNCIL.** The Anti-Discrimination Council is tasked the following:

1. To monitor and maintain a case database of all complaints regarding violations of this Ordinance
2. To provide legal and psychological aid to victims of discrimination and any complainant regarding any violation of this Ordinance
3. To study the nature of complaints and the condition of persons vulnerable to discrimination, and recommend policy to the City Council in accordance with the purposes of this Ordinance
4. To review all policies embodied in resolutions, ordinances, codes and other policy documents of the City to determine if they are free from discriminatory language against any person, and propose the necessary amendments to the same
5. To undertake projects, information campaigns, lectures and other platforms for education in order to reduce acts of discrimination against any person, and empower and provide justice for victims of discrimination

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**SECTION 8. QUARTERLY MEETINGS.** The Anti-Discrimination Council shall meet quarterly with the Gender and Development Office acting as the secretary of the Council during the aforementioned meetings.

**SECTION 9. IMPLEMENTING RULES AND REGULATIONS.** Upon approval of this Ordinance, the City Legal Office, in coordination with the GAD Office, shall formulate the Implementing Rules and Regulations which shall govern the administration of the provision of this Ordinance. The GAD Office shall be the Implementing Arm of the Council.

**SECTION 10. INFORMATION CAMPAIGN.** Within thirty (30) days from the approval of this Ordinance, the Public Information Office, in coordination with the GAD Office of the City shall conduct an information campaign to apprise the public of the provisions of this Ordinance.

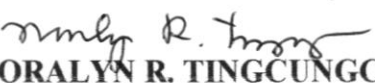
**SECTION 11. SEPARABILITY CLAUSE.** If any part or parts of this Ordinance is declared void or unconstitutional, the remaining parts of parts thereof shall not be affected thereby and shall remain in full force and effect.

**SECTION 12. REPEALING CLAUSE.** All ordinances and administrative regulations, or part or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

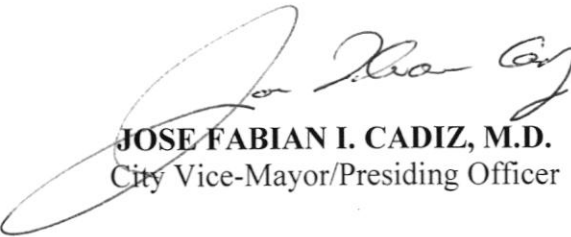
**SECTION 13. EFFECTIVITY.** This ORDINANCE shall take effect after publication in at least one (1) newspaper of local or general circulation.

**UNANIMOUSLY ENACTED** by the **CITY COUNCIL of MARIKINA** on this 24<sup>th</sup> day of June, 2019.

I hereby certify to the passage of the foregoing Ordinance which was duly enacted by the 8<sup>th</sup> City Council of Marikina during its 18<sup>th</sup> Regular Session held on June 24, 2019.

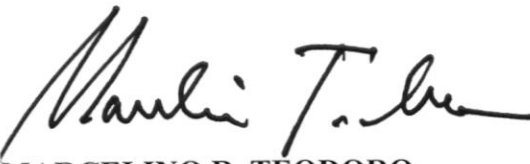
  
**NORALYN R. TINGCUNCO**  
Secretary to the Sanggunian

**ATTESTED & CERTIFIED  
TO BE DULY APPROVED:**



**JOSE FABIAN I. CADIZ, M.D.**  
City Vice-Mayor/Presiding Officer

Approved by the Hon. City Mayor on **JUN 29 2019**



**MARCELINO R. TEODORO**  
City Mayor

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