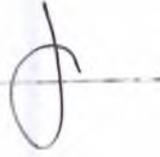


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S E N A T E

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S. NO. 2766

(In substitution of Senate Bill Nos. 108, 233, 747, 1264 and 1300)

Prepared and submitted jointly by the Committees on Social Justice, Welfare, and Rural Development; Cultural Communities and Muslim Affairs; and Finance; with Senators Poe, Padilla, Villanueva, Marcos, and Estrada, as authors thereof

AN ACT

**PROHIBITING DISCRIMINATION ON THE BASIS OF PROTECTED
ATTRIBUTES, PROVIDING PENALTIES THEREFOR, AND FOR OTHER
PURPOSES**

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

1 **SECTION 1. Short Title.** —This Act shall be known as the "Comprehensive
2 Anti-Discrimination Act".

3 **SEC. 2. Declaration of Policy.** — It is the policy of the State to work actively for
4 the elimination of all forms of discrimination that offends the equal protection clause
5 of the Bill of rights, and the State's obligations under human rights instruments
6 acceded to by the Republic of the Philippines, particularly those discriminatory
7 practices based on age, indigenous, cultural, racial, or ethnic origin, religious belief or
8 activity, political inclination or conviction, social class, sex, sexual orientation, sex
9 characteristics, gender identity, gender expression, marital relationship status,
10 disability, HIV status, profession, occupation, employment status, educational

1 attainment, maternity and pregnancy, deprivation of liberty, former incarceration,
2 health status or medical history, language, physical features, or other status.

3 Toward this end, the State shall exert efforts to address all forms of
4 discrimination and violence and to promote human dignity as enshrined in the United
5 Nations Universal Declaration on Human Rights, the Convention on the Elimination of
6 All Forms of Discrimination Against Women, particularly the General Recommendation
7 No. 28 on Nondiscrimination based on sexual orientation and gender identity,
8 Convention on the Rights of the Child, International Covenant on Civil and Political
9 Rights, International Covenant on Economic, Social and Cultural Rights, International
10 Convention on the Elimination of All Forms of Racial Discrimination, Convention on the
11 Rights of Persons with Disabilities, International Convention on the Protection of All
12 Migrant Workers and Members of their Families, United Nations Declaration on the
13 Rights of Indigenous Peoples, and the relevant General Comments or
14 Recommendations by the concerned United Nations Treaty-Bodies, and all other
15 relevant and universally accepted human rights instruments and other international
16 conventions to which the Philippines is a signatory of. As such, discriminatory practices
17 as defined herein shall be prescribed and penalized.

18 **SEC. 3. *Definition of terms.*** — For the purposes of this Act, the following terms
19 shall be defined as follows:

- 20 a) *Age Discrimination* refers to an act of discriminating a person, which includes
21 bullying, based solely on the actual or perceived age of a person, whether
22 accurate or not;
- 23 b) *Bangsamoro People* are those who, at the advent of the Spanish colonization,
24 were considered natives or original inhabitants of Mindanao and the Sulu
25 archipelago and its adjacent islands, whether of mixed or full blood, shall have
26 the right identify themselves, their spouses and descendants, as Bangsamoro;
- 27 c) *De Facto Spouse of Another Person* is defined to mean a person who cohabits
28 or lives with another person in a relationship similar to marriage but is not
29 legally married to that person;
- 30 d) *Disability* refers to a (1) long-term physical or mental intellectual or sensory
31 impairments that substantially limits one or more psychological, physiological,

1 or anatomical function of an individual or activities of that individual; (2) a
2 record of such an impairment; (3) or being regarded as having such an
3 impairment;

4 e) *Discrimination* constitutes any distinction, exclusion, restriction, or preference
5 or other differential treatment that is directly or indirectly based on the
6 protected attributes, which has the purpose or effect of nullifying or impairing
7 the recognition, employment or exercise, on an equal footing, of the political,
8 civil, economic, social, and cultural rights. It also includes association with the
9 person who has, or is believed to have any of these attributes. Discrimination,
10 which also includes incitement to discriminate and harassment, is a result of
11 stigma. The actual status of the person subjected to discrimination shall not
12 be relevant for purpose of determining whether an act of discrimination has
13 been committed.

14 i. *Direct Discrimination* occurs where a person is treated less favorably
15 than another person in the same or comparable circumstances on the
16 ground of their protected attributes, as defined under section 4 of this
17 act. Direct discrimination also includes detrimental acts or omissions on
18 the basis of prohibited grounds where there is no comparable similar
19 situation.

20 ii. *Indirect Discrimination* occurs where a law, rule, regulation, policy,
21 condition, practice, or requirement, which appears neutral on its face,
22 has the effect of putting a person with a particular protected attribute
23 in a disadvantage which is not reasonable in the circumstances.

24 f) *Education and Training* refers to all types and levels of education, training,
25 and other avenues for learning, and includes access thereto, the standard and
26 quality thereof and the conditions under which the same is given;

27 g) *Employment* refers to all terms, conditions, and privileges relating to
28 engagement in work which includes all terms, conditions, and privileges in
29 public and private institutions, including recruitment policies, application,
30 procedures, training, incentives, compensation, determination of benefits or
31 allowances, promotion, advancement opportunities, transfer, dismissal, and
32 retirement;

1 The definition shall apply to all employees regardless of their status of
2 employment. In legitimate contracting arrangements, the
3 contractor/subcontractor shall be deemed the employer of the contractual
4 employee.

5 The terms of employment and occupation shall include access to
6 training, access to employment and to particular occupations, and terms and
7 conditions of employment.

- 8 h) *Ethnic Origin* refers to the classification of people based on common color,
9 descent, racial, national, tribal, religious, ethno-linguistic or cultural origin or
10 background;
- 11 i) *Formerly Incarcerated Person* refers to a person or individual with prior justice
12 system involvement, including but not limited to the following: one who had
13 been accused of committing a criminal act; one who had been acquitted; or
14 one who may had been previously incarcerated and served his or her sentence
15 in any jail system and penal institution;
- 16 j) *Gender* refers to a social construct or a set of socially ascribed characteristics,
17 norms, attributes, values and expectations categorizing a person as man,
18 woman, or other identity which is usually based on one's sex assigned at birth
19 and identifying the social behavior among them;
- 20 k) *Gender Expression* refers to a person's presentation of their gender through
21 physical appearance, including dress, hairstyles, accessories, cosmetics, and
22 mannerisms, speech, behavioral patterns, names, personal references and
23 other external manifestations, among others;
- 24 l) *Gender Identity* refers to each person's deeply felt internal and individual
25 experience of gender, which may or may not correspond with the sex assigned
26 at birth;
- 27 m) *Goods and Services* refer to the material and non-material products or things
28 of value offered for sale to satisfy needs and wants for survival, comfort, or
29 pleasure including, but not limited to, as those provided by restaurants,
30 resorts, hotels, clubs, stores and shopping malls; or acts or services provided
31 by credit or financial establishments, public and private utilities and services,
32 professionals, maintenance and repair workers, laborers and similar workers;

- 1 n) *Harassment* refers to the unwanted treatment against a person on grounds of
2 one or more protected attributes or in association with them, with the effect
3 or purpose of creating unfriendly, hostile, offensive, humiliating or rejecting
4 atmosphere for that person;
- 5 o) *Health Status* refers to a person's physical or mental health;
- 6 p) *HIV Status* refers to the actual or perceived presence or absence of the human
7 immunodeficiency virus (HIV) in the body of an individual;
- 8 q) *Housing and Other Accommodations* refer to, whether public or private, a
9 house, apartment, condominium, townhouse, flat, motel, boarding house,
10 hotel, dormitory, shelter, elderly home, rehabilitation facility, orphanage, and
11 health facility including mental health facility, detention center, camping ground
12 and other analogous places;
- 13 r) *Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)* shall, as
14 provided under Section 3(h), Chapter II of Republic Act No. 8371 or "The
15 Indigenous Peoples' Rights Act of 1997" (IPRA), refer to a group of people or
16 homogenous societies identified by self-ascription and ascription by others,
17 who have continuously lived as organized community on communally bounded
18 and defined territory, and who have, under claims of ownership since time
19 immemorial, occupied, possessed, and utilized such territories, sharing
20 common bonds of language, customs, traditions, and other distinctive cultural
21 traits, or who have, through resistance to political, social, and cultural inroads
22 of colonization, non-indigenous religions and cultures, became historically
23 differentiated from the majority of Filipinos. ICCs/IPs shall likewise include
24 peoples who are regarded as indigenous on account of their descent from the
25 populations which inhabited the country, at the time of conquest or
26 colonization, or at the time of inroads of non-indigenous religions and cultures,
27 or the establishment of present state boundaries, who retain some or all of
28 their own social, economic, cultural, and political institutions, but who may
29 have been displaced from their traditional domains, or who may have resettled
30 outside their ancestral domains;
- 31 s) *Internal Displacement* refers to the standing of persons or groups of persons
32 who have been forced or obliged to flee or to leave their homes or places of
33 habitual residence, in particular as a result of or in order to avoid the effects

1 of armed conflict, situations of generalized violence, violations of human rights
2 or natural or human-made disasters, and who have not crossed an
3 internationally recognized border;

4 t) *Intersex* refers to people who are born with physical or biological sex
5 characteristics, such as sexual anatomy, reproductive organs, hormonal
6 patterns and/or chromosomal patterns, that do not fit the typical definitions
7 for male or female bodies. For some intersex people, these traits are apparent
8 at birth, while for others they emerge later in life, often at puberty;

9 u) *Language* includes spoken and signed languages and other forms of non-
10 spoken languages;

11 v) *Linguistic Discrimination* refers to the unfair treatment of an individual based
12 solely on the use of language, dialects and variations of language. This use of
13 language may include the individual's native language or other characteristics
14 of the person's speech, such as an accent, the size of vocabulary, whether the
15 person uses complex and varied words,, and syntax;

16 w) *Marginalization* refers to a condition where a whole category of people is
17 excluded or have limited opportunity from useful and meaningful participation
18 in political, economic, social, and cultural life;

19 x) *Marital or Relationship Status* refers to the personal status of each individual
20 in relation to the marriage laws or customs of the country. The categories of
21 civil status include any of the following: single, married, separated, widowed,
22 or de facto spouse of another person;

23 y) *Occupation* refers to a line of work, job, trade, or profession or any activity in
24 which a person is engaged within the world of work, including production of
25 goods for own final use, provision of services for own final use, volunteer work,
26 and other forms of work aside from employment;

27 z) *Persons with Disabilities* (PWDs) refer to persons who have long-term physical,
28 mental, intellectual, or sensory impairments which in interaction with various
29 barriers may hinder their full and effective participation in society on an equal
30 basis with others;

31 aa) *Physical Features* refer to a person's height, size, weight or other bodily
32 characteristics. It shall also include features that a person chooses to acquire,
33 such as tattoos and piercings;

1 bb) *Political Inclination* refers to a person's preference as regards membership or
2 belief in a particular political candidate/personality, party, organization, or
3 ideology. It covers both the holding and not-holding of opinions, as well as
4 expression of views or membership within opinion-based associations, trade
5 unions, or political parties;

6 cc) *Profession* refers to a lawful occupation which requires specialized
7 knowledge and often long and intensive academic preparation;

8 dd) *Profiling* refers to an act by any person, including members of the police,
9 military and uniformed personnel in government service, that arbitrarily relies
10 solely to the existence of any or some of the prohibited attributes, as mentioned
11 in Sec. 4 of this Act, as grounds in any investigation, which shall include, but is
12 not limited to: (1) unnecessary, unjustified, illegal, or degrading searches,
13 inquiries, custodial investigations, and arrests to determine whether an
14 individual is engaged in an activity presumed to be unlawful, immoral, or socially
15 unacceptable; or (2) recording and analyzing a person's psychological and
16 behavioral characteristics to make generalizations about a person's protected
17 attributes or to assist in identifying a particular subgroup of people's protected
18 attributes. Provided, That, law enforcement officers are allowed to conduct
19 criminal investigations based on the commission of illegal acts and not on
20 stereotypical assumptions attached to any of the protected attributes;

21 ee) *Protected Attributes* refers to identified grounds or characteristics where
22 discrimination is prohibited. These grounds or characteristics include but is not
23 limited to, age, indigenous, racial, color or ethnic origin, religious belief or
24 activity, political inclination or conviction, social class, formerly incarcerated
25 persons, sex, gender identity or expression, sexual orientation, sex
26 characteristics, marital or relationship status, disability, HIV status, profession
27 or occupation, health status or medical history, language, physical features and
28 other status;

29 ff) *Reasonable Accommodation* means necessary and appropriate modification and
30 adjustments not imposing a disproportionate or undue burden, where needed in
31 a particular case, to ensure to persons with disabilities the enjoyment or exercise
32 on an equal basis with others of all human rights and fundamental freedoms;

- 1 gg) *Religious Belief or Activity* refers to the conviction declaration or display of faith,
2 values attitude and practices of a chosen religion or belief system that may be
3 publicly or privately manifested in worship observance, practice and teaching;
- 4 hh) *Religious Expression* refers to teachings and preaching of religious leaders on the
5 basis of their faith, whether it conforms to or opposes one's view or belief , which
6 are made within the confines of their religious service, ceremony or gathering and
7 which are in accordance with the most deeply held fundamental religious
8 convictions of the religion to which they belong;
- 9 ii) *Sex* refers to the civil status of a person acquired by birth, having a system of
10 reproduction corresponding to that belonging to male, female, or intersex;
- 11 jj) *Sex Characteristics* refers to a person's physical traits that indicate their biological
12 sex, such as chromosomes, external genitalia, gonads, hormones, and internal
13 reproductive organs. Traits present at birth are called primary sex characteristics,
14 whereas those that develop during puberty are called secondary sex
15 characteristics;
- 16 kk) *Sexual Orientation* refers to the direction of emotional, sexual attraction, or
17 conduct towards people of the same gender (homosexual orientation) or towards
18 people of more than one gender (bisexual orientation), or towards people of
19 different gender (heterosexual orientation) or to the absence of sexual attraction
20 (asexual attraction);
- 21 ll) *Social Class* refers to groupings of individuals usually based on wealth, educational
22 attainment, occupation, income, and membership in a subculture or social
23 network;
- 24 mm) *Statelessness* refers to the standing of a person, known as a stateless person,
25 who is not considered as a national by any state under the operation of its law;
- 26 nn) *Stereotype* refers to a generalized view preconception about the attributes or
27 characteristics that are or ought to be possessed by, or the roles that are or should
28 be performed by vulnerable communities or about an individual's protected
29 attributes, vulnerable communities or about an individual's protected attributes,
30 regardless of whether such thoughts or beliefs accurately reflect reality;
- 31 oo) *Stereotyping* refers to the practice of ascribing to a person or a vulnerable
32 community specific attributes, characteristics, or roles by reason only of their
33 protected attributes;

1 pp) *Stigma* refers to the dynamic devaluation and dehumanization of an individual in
2 the eyes of others which may be based on attributes that are arbitrarily defined
3 by others as discreditable or unworthy, and which result in discrimination when
4 acted upon.

5 qq) *Vulnerable Communities* refer to communities or sectors that encounter stigma
6 and discrimination based on the grounds enumerated in Section 4; and

7 rr) *Other Status* refers to other forms of differential treatment or grounds of
8 discrimination which either undermines human dignity, causes or perpetuates
9 systemic disadvantage, or adversely affects the equal enjoyment of a person's
10 rights and freedoms in a serious manner that is comparable to the protected
11 attributes enumerated in Section 4 of this Act. These grounds include, but are not
12 limited to the following: association and relation with persons with protected
13 attributes, pregnancy or maternity/paternity status, family responsibilities, health
14 status or medical condition, or criminal record.

15 **SEC. 4. Protected Attributes.** – Discrimination that is directly or indirectly based
16 on the actual or perceived characteristics, which include age, culture, indigenous,
17 racial or ethnic origin, religious belief or activity, political inclination or conviction,
18 social class, sex, gender, sexual orientation, sex characteristics, gender identity,
19 gender expression, marital or relationship status, disability, HIV status, profession or
20 occupation, health status, language, physical features, employment status, maternity,
21 pregnancy, educational attainments, deprivation of liberty , former incarceration,
22 internal displacement, refugee status, statelessness, or other status is prohibited. For
23 purposes of this Act, these personal characteristics shall be collectively termed as
24 "Protected Attributes" or *prohibited grounds for discrimination*.

25 The protected attributes that may be subjected to differentiation or any form
26 of discrimination shall be interpreted in their most common or universal definitions
27 and with due regard to the promotion of meaningful implementation to the policy of
28 non-discrimination.

29 In determining whether a person is distinguished by one or more of the
30 protected attributes, identification shall, if no justification exists to the contrary, be
31 based upon self-identification by the individual concerned.

1 **SEC. 5. Acts of Discrimination, Unlawful.** — Subject to Section 7 of this Act,
2 the acts of discrimination include, but are not limited to, the following:

3 (a) *Inflicting stigma.*

4 It shall be unlawful for any person to commit any acts that promote, encourage,
5 inflict, and perpetuate stigma based on the grounds referred to in Section 4. Content
6 in all forms of the media, including social media, in educational textbooks, or in other
7 medium that aims to promote, encourage, inflict, and perpetuate stigma, by any
8 means, is likewise prohibited.

9 (b) *Inciting violence or sexual abuse against any person or group on the basis*
10 *of the grounds referred to in Section 4.*

11 (c) *Denying civil and political rights*

12 It shall be unlawful to deny a person enjoyment of his or her civil and political
13 rights based on the ground referred to in Section 4. Further, any person shall be held
14 liable for the commission of any of the following discriminatory acts involving the
15 political rights of a person, which shall include but are not limited to:

16 (1) Preventing, impeding, prohibiting, obstructing or intervening in the
17 exercise of political rights by another including, but not limited to,
18 the right to vote in a national or local election, both regular or
19 special, or in a plebiscite, both initiative or referendum;

20 (2) Imposing onerous terms before these political rights are granted,
21 preserved or protected; or

22 (3) Subjecting another person who wishes to exercise a political right to
23 any act of discrimination.

24 (d) *Denying economic, social, and cultural rights*

25 (1) It shall be unlawful to deny a person enjoyment of economic, social,
26 and cultural rights based on the grounds referred to section 4; or

27 (2) It shall be unlawful for any person or entity to refuse to
28 acknowledge, respect, or value cultural practices, traditions, and

1 heritage of persons or groups, whether explicit, through actions or
2 polities, or implicit, through messages that downplay its existence or
3 render it non-existent; provided, That such acknowledgment,
4 respect, or valuation shall not justify or result in any acts of
5 discrimination against others based on protected attributes;
6 provided further, That, the legal recognition of Indigenous Peoples
7 and Indigenous Cultural Communities and the rights associated with
8 such recognition shall nonetheless be subject to applicable laws,
9 including but not limited to the Indigenous Peoples' Rights Act
10 (IPRA)."

11 (e) *Denying the right to education.*

12 It shall be unlawful for any person to:

13 (1) Refuse admission to or expel a person from any educational or
14 training institution on the basis of the grounds defined in section 4,
15 without prejudice to the right of educational or training institutions to
16 determine the academic qualifications and non-academic training
17 requirements of their students or trainees;

18 (2) Grant or refuse to grant honors, scholarship/s, or other forms of
19 assistance on the basis of the grounds defined in Section 4;

20 (3) Impose disciplinary sanctions, penalties equirements, restrictions,
21 or prohibitions that infringe on the rights of the persons other than that
22 which is reasonable on the basis of the grounds identified in Section 4;

23 (4) Fail to make reasonable efforts to make facilities accessible to
24 persons with disabilities; or

25 (5) Subject a person to any act of discrimination and intolerance related
26 to education and training.

1 Further, the prohibition to deny the right to education of a person to
2 discriminate on the basis of the protected attributes of their parents and/or legal
3 guardians shall be unlawful.

4 (f) *Denying the right to work.*

5 (1) It shall be unlawful for any employer or head of a firm, company, or
6 organization to:

7 (i) refuse or fail to employ a person for work of any type or kind
8 which is available and for which the person is qualified, or impose
9 on the person onerous terms and conditions, on the basis solely
10 or partly of the existence of the protected attributes under Section
11 4 of this Act;

12 (ii) fail to take reasonable efforts to make facilities accessible to
13 persons with disabilities;

14 (iii) deny or limit access of an employee to the same terms and
15 conditions of work, opportunities for training, transfer or
16 promotion, or to other benefits connected with employment, as
17 are made available for other employees having the same
18 qualifications and employed in the same circumstances or work
19 of the same kind or type, or impose on the person onerous terms
20 and conditions, on the basis of the protected attributes under
21 Section 4 of this Act; or

22 (iv) dismiss, demote, reassign, or transfer an employee on the
23 basis of the protected attributes under Section 4 of this Act, or
24 subject an applicant for employment or an employee to any act
25 of discrimination;

26 (2) It shall be unlawful for any person acting as job contractor or
27 recruitment or placement agency, or agent in procuring workers for a
28 principal or an employer to treat an applicant seeking employment less
29 favorably than another person in the same circumstances who is likewise

1 seeking employment on the basis of the protected attributes under
2 Section 4 of this Act.

3 (3) Any person acting as principal or agent of an organization of
4 employers or employees, or any person acting or purporting to act on
5 behalf of such organization, shall be liable for discrimination by
6 preventing or seeking to prevent another person to continue one's
7 employment.

8 (4) It shall likewise be unlawful for any person to:

9 (i) Deny employment in government institutions, including
10 police and military service, based directly or indirectly on the
11 grounds referred to in Section 4;

12 (ii) Refuse to enter into contract or agreement with persons
13 or group of persons based solely or partly on the grounds
14 provided in Section 4; or

15 (iii) Deny an application for or revoke a professional license issued
16 by the government, directly or indirectly, due to the grounds
17 provided in Section 4 of this Act.

18 (g) *Denying the right to access to goods and services.*

19 It shall be unlawful for any person, solely on the basis of the grounds in
20 Section 4, to:

21 (1) Refuse or fail on demand to supply goods or services available to the
22 general public, such as but not limited to, private and public insurance,
23 housing and other forms of accommodation, and medical and health
24 insurance, including health maintenance organization (HMO)-provided
25 medical plans, on the basis of the grounds referred to in this Act;

26 (2) Refuse entry to or evict a person from any public or private
27 establishment, facility, or utility that is open to the general public, such

1 as but not limited to, restaurants, bars, hotels, shopping malls, gyms,
2 facilities, and modes of transportation;

3 (3) Refuse or fail on demand to supply those goods and services except
4 on less favorable terms or conditions, not otherwise offered to others in
5 the same circumstances. Provided, that, the act of giving inferior goods
6 or services shall also be deemed a denial of access or use of such goods
7 or service;

8 (4) Cause undue and unjust deferral of services; or

9 (5) Deny application for a license, clearance, certification or any other
10 document issued by government authorities or other entities, with no
11 lawful, valid or reasonable grounds.

12 (h) *Denying the right to organize.*

13 It shall be unlawful to prohibit, prevent, or revoke the accreditation,
14 formal recognition, and/or registration of any organization, group,
15 political party, institution, or establishment, in educational institutions,
16 workplaces, communities, and other settings, based partly or solely on
17 the grounds, as provided in Section 4 of this Act.

18 Discrimination is also committed when additional requirements beyond
19 the customary are imposed directly or indirectly due to the grounds
20 provided in Section 4 of this Act.

21 (i) *Inflicting harm on health and well-being.*

22 It shall be unlawful to subject any person, without full, free, informed,
23 and prior consent, to any unnecessary medical or physical examination,
24 psychological treatment, faith-based practices, and other similar
25 procedures based solely or partly on any of the grounds referred to in
26 Section 4 that aim to change identity or physical attributes or impose
27 behavior or expressions.

28 (j) *Engaging in profiling.*

1 It shall be illegal for any person, including members of the military and
2 law enforcement agencies, to engage in profiling based solely or partly
3 on the protected attributes or grounds provided in Section 4 of this Act.

4 (k) *Harassing to curtail freedom of movement, association or assembly or*
5 *extorting.*

6 It shall be unlawful for any government agency, including local
7 government units, police, military, and immigration agencies, to harass
8 verbally or physically, to curtail freedom of movement, or to extort from
9 a person or a group of persons on the basis of the protected attributes
10 or grounds provided in Section 4 of this Act.

11 This prohibition applies to similar abuses committed by private persons.

12 (l) *Unlawfully detaining and confining a person.*

13 It shall be unlawful to detain and confine a person or groups of persons
14 based directly or indirectly on the grounds under Section 4.

15 (m) *Inciting and/or doing acts of hatred or violence.*

16 It shall be unlawful to incite hatred or violence based on any of the
17 grounds included in Section 4, by use of words or behavior, such as but
18 not limited to delivering speeches or making utterances, and doing acts
19 of hatred or violence against any person or group, or mocking or
20 ridiculing the same person or group through the display of written
21 material, publishing or distributing written material; the public
22 performance of a play; distributing, showing or playing a recording;
23 broadcasting or including a program in a program service, and
24 possession of inflammatory material: Provided, That the test to
25 determine incitement to hatred or violence should be whether the
26 speech or work, taken as a whole, lacks serious literary, artistic, political,
27 or scientific value.

28 (n) *Discrimination in publications and advertisements in media.*

1 It shall be unlawful for a person to publish or display, or cause or permit
2 to be published or displayed, a publication or advertisement that
3 indicates or could reasonably be understood as an incitement to or act
4 of discrimination, as provided in Section 4 of this Act.

5 (o) *Denying the right to expression.*

6 It shall be unlawful to deny a person of his or her freedom of opinion
7 and expression based on the grounds included in Section 4. This includes
8 the expression of identity or personhood through speech, deportment,
9 dress, bodily characteristics, choice of name, or other means, as well as
10 the freedom to seek, receive, and impart information and ideas of all
11 kinds through any medium.

12 (p) *Retaliating and coercing.*

13 No person, whether natural or juridical, shall discriminate against an
14 individual who made a charge, assisted, reported, or testified, in any
15 investigation, proceeding, and/or hearing under this Act.

16 No person, whether natural or juridical, shall coerce, intimidate,
17 threaten, and/or harass any individual regarding the latter's exercise or
18 enjoyment of any right granted and/or protected under this Act.

19 (q) *Denying the right against wrongful portrayal.*

20 It shall be unlawful for any person to portray, intimate, depict, or
21 describe in learning institutions, instructional materials, teaching
22 devices, books, and reference materials, especially in civics and history,
23 and in mass media, including social media, certain individuals and/or
24 group/s as inferior, or encouraging the commission of any of the acts of
25 discrimination against any person and/or group as provided in this Act:
26 *Provided,* That the test to determine wrongful portrayal should be
27 whether the work, taken as a whole, lacks serious literary, artistic,
28 political, or scientific value.

1 Information regarding the dignity and diversity of the cultures,
2 traditions, histories, and aspirations of the ICCs/Ips should be
3 appropriately reflected in all forms of education, public information,
4 cultural-educational exchange, and information education campaigns
5 including the use of social media platforms.

6 (r) *Denying the right to reasonable accommodation.*

7 (1) Any person acting as principal or agent providing accommodation shall
8 be liable for discrimination through the following acts:

9 i. Failing to make reasonable efforts to make facilities accessible to
10 persons with disabilities sectors requiring them, such as but not
11 limited to persons with disabilities;

12 ii. Refusing or failing to accept or process the application for any land
13 or interest thereof, housing and other accommodations;

14 iii. Disposing of such land or interest, housing and other
15 accommodation to another person on less favorable terms and
16 conditions than those which would otherwise be offered;

17 iv. Treating another person who is seeking to acquire or has acquired
18 an estate, land or interest thereof, housing and other
19 accommodation less favorably than to others in the same
20 circumstances;

21 v. Refusing to permit another person to occupy any estate, land,
22 housing and other accommodation;

23 vi. Terminating any estate, land or interest thereof of another person
24 or the right of another person to occupy any estate, land or
25 housing and other accommodation;

26 vii. Subjecting an applicant to any other act of discrimination in the
27 acquisition, possession, utilization, lease or disposal of estate,
28 land or interest thereof, housing and other accommodation; or

1 viii. Denying accommodations against refugees, evacuees and
2 internally displaced persons by reason of natural tragedy or
3 armed conflict.

4 (2) Any person acting as principal or agent shall also be liable for
5 discrimination by imposing or seeking to impose on another person any
6 term or condition that limits the person or class of persons who may be
7 the clients, visitors or guests of any estate, land, housing and other
8 accommodation.

9 The abovementioned acts or omissions shall also be discriminatory when they
10 are committed against juridical persons on the basis of the actual or perceived
11 protected attributes of their members, officers, board of directors or trustees, or their
12 target constituencies.

13 (s) Other analogous circumstances

14 Any analogous act, which has the effect or purpose of impairing or
15 nullifying the recognition, enjoyment, or exercise of the person's human
16 rights and fundamental freedoms, consistent with relevant and
17 universally accepted human rights instruments and other international
18 conventions to which the Philippines have ratified, are also prohibited.

19 **SEC. 6. *Persons Liable.*** – Any person, natural or juridical, or their
20 representatives, including government instrumentalities and agencies, or government-
21 owned and - controlled corporations, or any private corporation, institution or
22 company who commit discrimination, through any of the unlawful acts provided in
23 Section 5, shall be held liable under this Act.

24 Any person, natural or juridical, or their representatives, who requests,
25 instructs, includes, encourages, authorizes or assists another to commit acts of
26 discrimination under Section 5 shall also be held liable under this Act.

27 Any person, natural or juridical, who fails, without justifiable reason, to take
28 appropriate action in response to reported incidents of discrimination shall also be held
29 liable under this Act.

1 The failure or refusal to act of a head of agency or government official or
2 employee, or any person whose duty is to prosecute or otherwise act on a complaint
3 for violation of this Act may be deemed *prima facie* as sanctioning the discriminatory
4 act on the part of said head of agency, official, or employee, and the latter may
5 consequently be held equally liable for discrimination under this Act.

6 All government officers and workers are obliged to promote nondiscriminatory
7 acts in the discharge of their duties and responsibilities.

8 **SEC. 7. Exceptions.** —Any action or conduct, otherwise prohibited under
9 Section 4 and 5 of this Act, shall not be unlawful and shall not be considered as
10 discrimination where a difference in treatment based on a protected attribute is
11 reasonable and objective, and if the aim is to achieve a legitimate purpose.

12 There is valid classification when the acts enumerated under this section do not
13 contravene to the rights to due process and the equal protection, as guaranteed under
14 the Constitution.

15 (a) Where any of the protected attributes is a *bona fide* occupational
16 qualification (BFOQ) reasonably necessary to the normal operation of the particular
17 business or where the differentiation is based on clearly established reasonable
18 factors;

19 (b) Where distinction, exclusion, or preference in respect of a particular job is
20 based on inherent requirement, which is a proportionate means of achieving a
21 legitimate aim;

22 (c) Where the deeply held fundamental religious doctrines, dogma, or beliefs
23 of a person or of a Body established exclusively for religious purposes require or
24 compel such person or Body to perform acts or practice necessary to avoid injury to
25 the religious sensitivities of adherents of that religion: *Provided*, That such acts or
26 practices should be in accordance with law, public order, or public policy; *Provided*,
27 Further, that such acts or practices do not result in the disruption of public service or
28 promote discrimination against protected sectors under this act; and

1 (d) Where the act or omission is done in good faith for the purpose of assisting
2 or advancing a person or group of persons who need or may reasonably be supposed
3 to need assistance or advancement in order to achieve an equal place in society with
4 other members of the community, or of complying with the measures of equality or
5 affirmative action programs as provided under Section 13 of this Act.

6 The exceptions shall be without prejudice to the existing laws prohibiting
7 discrimination on account of the protected attributes such as State principles and
8 mandates underscored in relevant existing laws, rules and regulations.

9 **SEC. 8. Penalties.** – Any person liable under Sections 4 and 5 of this Act shall
10 be penalized by imprisonment of not less than nine (9) months but not more than
11 twelve (12) years or a fine of not less than One Hundred Thousand Pesos
12 (P100,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00), or
13 both, upon the discretion of the court.

14 The penalty provided under this Section shall be imposed in its maximum period
15 if any of the following circumstances occur:

- 16 (a) If the offender has been previously convicted under this Act;
17 (b) If the offender is a direct ascendant or descendant, a relative within the
18 fourth degree of consanguinity or affinity, a step-parent or a step-child or
19 a guardian or a ward of the victim;
20 (c) If the offender is the manager or owner of an establishment which has
21 no license to operate or whenever such license has expired or has been
22 previously revoked;
23 (d) If the offender is a public official, officer, or employee: *Provided*, That the
24 penalty of suspension shall also be imposed. An accessory penalty of
25 perpetual disqualification to hold public office is likewise imposed on the
26 public official, officer, or employee; or
27 (e) If the offended party is below eighteen (18) years of age or those over but
28 are unable to fully take care of themselves from discrimination because of
29 physical, mental, intellectual or sensory disability or condition.

1 If the person liable for the discriminatory act is a juridical person, an accessory
2 penalty of cancellation of Certificates of Registration and/or licenses shall be imposed.

3 An offender who is a foreigner shall be deported immediately after service of
4 sentence and shall be barred entry into the country.

5 Whenever the courts determine that a fine shall be imposed pursuant to the
6 criminal case filed under this Act, the fine thus collected shall be remitted by the court
7 to the Commission on Human Rights (CHR) which shall administer the fund for the
8 assistance of victims of discrimination.

9 Nothing in this Act shall preclude the victim from instituting a separate and
10 independent action for damages and other affirmative reliefs.

11 The Administrative remedies provided under this Act do not bar prosecution of
12 civil claims in proper courts for an act of discrimination committed under this Act.

13 If any crime penalized under the Revised Penal Code is committed in pursuit of
14 discrimination, the penalty provided under the Revised Penal Code shall be applied
15 and the discrimination committed shall be considered as an aggravating circumstance.

16 **SEC. 9. Restorative Measures** – In addition, the court, administrative agency,
17 or quasi-judicial body shall require the offender to undergo appropriate anti-
18 discrimination training, such as gender and culture sensitivity training, human rights
19 education, familiarization with and exposure to the plight of the victims, or any of the
20 circumstances enumerated under this act. The offender may also be required to render
21 community service.

22 **SEC. 10. Reparation to Victims.** — In addition to existing laws and procedural
23 rules or reparation to victims, the following measures shall be undertaken:

- 24 a) The court, administrative agency, or quasi-judicial body shall follow the principles
25 relating to the reparations to, or in respect of, victims, including restitution,
26 compensation and rehabilitation. In their decisions, the court, administrative
27 agency, or quasi-judicial body may, either upon request or on their own volition, in

1 exceptional circumstances, determine the scope and extent of any damage, loss or
2 injury to the victims, stating therein the principles on which they are acting;

3 b) The court, administrative agency, or quasi-judicial body may make an order directly
4 against a person convicted by a judgment that has become final and executory,
5 specifying appropriate reparation to, victims, including restitution, compensation
6 and guarantees of non-repetition, and public apologies; and

7 c) Before making an order under this section, the court, administrative agency or
8 quasi-judicial body shall invite and shall consider representations from, or on
9 behalf of, the convicted person, victims or other interested persons.

10 d) The DSWD shall provide rehabilitative counseling and treatment to offenders
11 toward a better understanding of human rights. If necessary, the court shall direct
12 the offender to submit to psychiatric treatment or confinement. Counseling shall
13 also be provided to victims for their recovery and well-being.

14 Nothing in this section shall be interpreted as prejudicing the rights and remedies
15 of victims under national or international laws.

16 **SEC. 11. Redress Mechanisms for Discrimination Cases. —**

17 (a) Inclusion of Discrimination Concerns in All Police Stations. – The Women
18 and Children’s Desks now existing in all police stations shall also act on and attend to
19 complaints/cases covered by this Act. In this regard, the police officers handling said
20 desks shall undergo trainings on human rights and sensitization on the issues of
21 violence and abuse on the basis of the grounds referred to in this Act.

22 Complainant-minors can be represented by parents, guardians, social workers,
23 or a non-government organization of good standing and reputation.

24 (b) Inter-agency Technical Council on Non-Discrimination and Equal
25 Opportunity. —

26 Pursuant to the government programs and policies herein provided, an Inter-
27 Agency Council on Non-discrimination and Equal Opportunity, hereinafter known as

1 the Council, shall be established. The Council shall be composed of the following
2 agencies and organizations:

3 (1) Commission on Human Rights (CHR) as the lead agency, and

4 (2) representatives from the Department of Justice (DOJ),

5 (3) National Commission on Indigenous Peoples (NCIP),

6 (4) National Commission on Disability Affairs (NCDA),

7 (5) National Commission on Muslim Filipinos (NCMF),

8 (6) Philippines Commission on Women (PCW),

9 (7) National Youth Commission (NYC),

10 (8) Civil Service Commission (CSC),

11 (9) Department of Labor and Employment (DOLE),

12 (10) Department of the Interior and Local Government (DILG),

13 (11) Department of Education (DepEd),

14 (12) Commission on Higher Education (CHED),

15 (13) Technical Education and Skills Development Authority (TESDA).

16 (14) Department of Health (DOH),

17 (15) Armed Forces of the Philippines (AFP),

18 (16) Department of Information and Communications Technology (DICT);

19 (17) Philippine National Police (PNP); and

20 (18) At least three (3) representatives from Civil Society Organizations (CSOs)
21 with proven expertise and track record on concerns regarding the protected attributes
22 under Section 4 of this Act.

1 The Council shall be constituted and shall act as an advisory and
2 recommendatory body on establishing developmental programs that will promote non-
3 discrimination and management of diversity, in consultation with CSOs with proven
4 expertise and track record on concerns regarding the protected attributes under
5 Section 4, and other stakeholders.

6 The Chair of the CHR shall be the permanent Chair of the Council, and the
7 Secretary of Justice as its permanent Vice-Chair. The Council members may designate
8 their permanent representative who shall have a rank not lower than an Assistant
9 Secretary or its equivalent, and shall receive emoluments as may be determined by
10 the Council in accordance with existing budget and accounting rules and regulations.

11 The CSOs forming part of the Council shall be identified by the government
12 agency representatives of the Council. The representatives of the CSOs shall serve for
13 a term of three (3) years renewable at the discretion of the chair upon
14 recommendation of the Council for a maximum of two (2) consecutive terms.

15 The Council shall meet at least once every quarter. The presence of the Chair
16 or the Vice-Chair of the Council, and at least ten (10) other representatives of the
17 Council members shall constitute a quorum to do business, and a majority vote of
18 those present shall be sufficient to pass resolutions or render decisions.

19 (c) Role of the Civil Service Commission (CSC). — The CSC, in consultation with
20 the Inter-agency Technical Council, shall modify the existing rules on grievance
21 machinery to address discriminatory practices committed in, and by officers or
22 employees of, government agencies, instrumentalities, and in government-owned-and
23 -controlled corporations (GOCCs) and other offices under its jurisdiction.

24 (d) Role of the Department of Labor and Employment (DOLE). — The DOLE,
25 in consultation with the Inter-agency Technical Council, shall promulgate the rules
26 and regulations necessary to enhance anti-discrimination protection in workplaces,
27 including the establishment of a grievance mechanism to address discriminatory
28 practices committed in the workplace.

1 **SEC. 12. *Secretariat to the Council.*** - The CHR shall establish the necessary
2 secretariat for the Council consisting of personnel with the necessary technical
3 expertise and capacity that shall be conferred permanent appointments, subject to
4 civil service rules and regulations. The secretariat shall be headed by an Executive
5 Director who shall be under the direct supervision of the Chair of the Council.

6 The Secretariat shall perform the following functions:

- 7 a) Coordinate and manage the day-to-day affairs of the Council;
- 8 b) Assist in the formulation, monitoring, and evaluation of DIPTs and IECs;
- 9 c) Provide technical assistance, support and advisory services to the council and
10 its external partners;
- 11 d) Assist the Council in identifying and building internal and external networks
12 and partnerships;
- 13 e) Coordinate and support the efforts of the council and its members to mobilize
14 resources; and
- 15 f) Provide administrative support to the Council.

16 **SEC. 13. *Programs to Promote Diversity, Equity and Inclusion.*** — It shall
17 be the duty of every person, natural or juridical, public or private, to ensure
18 nondiscrimination and equal opportunity for all persons in relating to actual or
19 prospective employees, students, tenants, customers or clients, and that no
20 discriminatory acts, as defined herein, is committed by them or their agents in the
21 areas defined under Section 5 of this Act.

22 The State shall endeavor to eliminate all forms of discrimination and shall
23 therefore pursue initiatives and programs that seek to enable an environment free of
24 stigma and discrimination, including ensuring reasonable accommodation is provided
25 for disadvantaged and marginalized sectors. It shall direct the machinery and
26 resources of the State to ensure non-discrimination and promote equality and shall
27 encourage other sectors of the society to engage and participate in these efforts. The
28 Inter-Agency Technical Council shall, by rules and regulations and in consultation with
29 the Bureau of Internal Revenue (BIR), develop, prescribe and administer incentive
30 and award schemes to encourage public and private establishments to provide

1 programs that promote nondiscrimination and contribute to the empowerment of
2 vulnerable and marginalized groups. Further, it shall ensure the establishment of the
3 following programs:

4 (a) Social Protection Program — The national government shall ensure the
5 integration of the communities affected by or vulnerable to stigma and discrimination
6 into the social programs of the government.

7 (b) Diversity and Inclusion Programs and Trainings (DIPTs). — All
8 government agencies, including government-owned and —controlled corporations,
9 local government units (LGUs), and private establishments and entities shall develop
10 plans of action to address discrimination and establish diversity and sensitivity
11 programs and shall endeavor to provide or conduct trainings for their staff, employees,
12 students, trainees, and constituents to ensure that discrimination and abuse are
13 prevented and addressed, as follows:

14 (1) Create an internal redress mechanism address cases of discrimination
15 and grant administrative remedies or sanctions for such cases;

16 (2) Conduct human rights education and training programs for public
17 officials, including judges and candidates for judicial appointments, in coordination
18 with the CHR. The DepEd, and the CHED, in particular, shall integrate teaching on the
19 principles of equality and non- discrimination in formal and non-formal inclusive and
20 multicultural education, with a view to dismantling notions of superiority or inferiority
21 based on protected attributes and to promote dialogue and tolerance between
22 different groups in society; and

23 (3) Endeavor to provide or conduct human rights education, gender sensitivity,
24 and culture sensitivity training programs for their staff, employees, students and
25 trainees, and constituents to ensure that discrimination and abuse are prevented in
26 their institutions.

27 (c) Monitoring and Evaluation. - All government agencies and instrumentalities
28 shall monitor the implementation of measures to promote non-discrimination and
29 equality. Assessment of the steps taken and the results achieved in the elimination of

1 discrimination shall be conducted annually. Annual reports in this regard shall be
2 submitted to the Congress and the CHR.

3 (d) Disaggregation of Data. — All government agencies and
4 instrumentalities shall ensure that all national strategies, policies, and plans shall use
5 appropriate indicators and benchmarks, disaggregated on the basis of the prohibited
6 grounds of discrimination.

7 The rights of individuals or groups of individuals, who may be distinguished by
8 one or more of the prohibited grounds, to participate in the decision-making processes
9 over the selection of measures to promote non-discrimination and diversity shall
10 always be upheld by the government in the implementation of the programs
11 enumerated above.

12 (e) Information and Education Campaign (IEC). — All government agencies
13 and instrumentalities are mandated to develop and implement information
14 dissemination on any of the prohibited forms of discrimination. They shall endeavor
15 to produce and publish information campaign materials on discrimination.

16 (f) Affirmative Action. — The State shall develop a system of affirmative actions
17 towards protecting the rights of ICCs/IPs, other cultural minority groups, and other
18 vulnerable groups. Support and protection for research and development and learning
19 materials on cultural heritage preservation and sensitivity for other vulnerable groups
20 shall be provided to all State Universities and Colleges.

21 All entities, agencies, corporations, companies, organizations, and
22 educational/training institutions, whether private or public, shall ensure the
23 implementation of this Section.

24 **SEC. 14. Enforcement.** — Criminal complaints brought under this Act shall be
25 filed with the proper court. In addition to the criminal complaint, a person who has
26 been subjected to any acts of discrimination as defined in this Act may file a complaint
27 with the CHR. For this purpose, the CHR may investigate, *motu proprio* or on complaint
28 by any person, acts or omissions in violation of this Act.

1 In all cases under investigation, the Commission may issue legal and preventive
2 measures, as well as provisional remedies. These measures or remedies shall include,
3 but not limited to, general writs of injunction, restraining orders, status quo ante
4 orders, cease and desist orders, protection orders, or such other orders to protect the
5 life and security of persons, preserve evidence, protect properties, and other
6 considerations to ensure the efficient investigation of the alleged violation of this Act.

7 The Commission shall also direct the officer concerned to take appropriate
8 action against a public officer or employee at fault or who neglected to perform an act
9 or discharge a duty required under this Act. Refusal by any officer, without just cause,
10 to comply with an order of the Commission or who neglects to perform an act or
11 discharge a duty required under this Act, shall be a ground for disciplinary action
12 against the said officer.

13 The CHR, consistent with its mandate under this Act, shall designate a focal
14 commissioner and/or create an Anti-Discrimination Center/Office to be primarily
15 responsible for formulating and implementing programs and activities relating to the
16 right of all persons against discrimination, including the investigation and handling of
17 complaints of violations of this Act.

18 Notwithstanding the foregoing provisions, NCIP shall have concurrent
19 jurisdiction with the CHR over the conduct of investigations on the basis of complaints
20 filed by ICCs/IPs against natural or juridical persons believed to have violated ICCs/IPs
21 rights.

22 **SEC. 15. *Administrative Proceedings and Sanctions against Public Officials and***
23 ***Employees.*** — Pursuant to Section 13 of this Act, which makes it a duty of the CHR to
24 investigate alleged cases of discrimination, a finding by the CHR, or the NCIP, in cases
25 of discrimination or complaints filed against ICCs/IPs that a department, agency, or
26 instrumentality of the government, a government-owned and —controlled
27 corporation, or a local government unit has violated any provision of this Act and its
28 implementing rules and regulations, shall carry with it a recommendation to the CSC
29 and/or the DILG for the imposition of sanctions under administrative law, civil service,
30 or other appropriate laws. Such recommendation shall include the names of the person

1 directly responsible for the violation, and a statement that the sanctions be imposed
2 upon the person directly responsible and the head of the agency or local chief
3 executive.

4 Nothing in this Act shall preclude the filing of a separate criminal or civil action
5 in proper courts for an act of discrimination committed under this Act, nor the filing of
6 complaints with government agencies exercising quasi-judicial functions.

7 **SEC. 16. *Fines against Private Persons, Provisional Remedy.*** — Upon a *prima*
8 *facie* finding that any provision of this Act was violated and upon its issuance of a
9 cease and desist order, the CHR may impose a fine of Twenty Thousand Pesos
10 (P20,000.00), for every day that the act of discrimination complained of has not
11 ceased. The fine collected shall be for the assistance of victims of discrimination.

12 For purposes of this Section, the CHR may seek the assistance of the
13 Department of Trade and Industry (DTI), Commission on Higher Education (CHED),
14 Department of Labor and Employment (DOLE), Department of Education (DepEd),
15 and the Technical Education and Skills Development Authority (TESDA), among
16 others.

17 **SEC. 17. *Joint Congressional Oversight Committee.*** — For the effective
18 implementation of this Act, the Joint Congressional Oversight Committee on Anti-
19 Discrimination (JCOC-AD) shall be created within sixty (60) days after the enactment
20 of this act for the purpose of monitoring and evaluating the effective implementation
21 of this Act as well as other Acts that affect the right of persons against discrimination.

22 The JCOC-AD shall be composed of five members each from the Senate and
23 the House of Representatives.

24 The Senate Panel shall be composed of the Chair of the Committee on Social
25 Justice, Welfare and Rural Development as Chair of the Senate Panel, the Chair of the
26 Committee on Women, Children, Family Relations and Gender Equality, the Chair of
27 the Committee on Cultural Communities, and the remaining seats to other members
28 of the Senate regardless of the Committee with at least one member from the minority.

1 The House of Representatives Panel shall be composed of the Chair of the
2 Committee on Human Rights as Chair of the House of Representatives Panel, the Chair
3 of the Committee on Women and Gender Equality, the Chair of the Indigenous Cultural
4 Communities and Indigenous Peoples, and the remaining seats to other members of
5 the House of Representatives with at least one member from the minority.

6 The JCOC-AD shall be chaired jointly by the Chair of the Senate Committee on
7 Social Justice, Welfare and Rural Development and the House Committee on Human
8 Rights. The position of Vice-Chair of the JCOC-AD shall be the Senate Committee on
9 Women, Children, Family Relations and Gender Equality and the House Committee on
10 Women and Gender Equality. The Secretariat shall come from the Secretariat
11 personnel of the Senate and the House of Representatives.

12 All government agencies shall submit to the JCOC-AD annual reports on the
13 monitoring and evaluation of measures to promote non-discrimination and equality
14 which shall include recommendations for Congress.

15 The JCOC-AD shall convene regularly, at least once a year, to review the annual
16 reports from government agencies and to evaluate the effectivity and effective
17 implementation of this Act and other relevant Acts. It shall invite the Inter-agency
18 Technical Council in all its meetings.

19 The JCOC-AD shall submit a report to Congress on its review and evaluation of
20 relevant Acts and its recommendations.

21 The JCOC-AD shall monitor the compliance of public institutions, agencies,
22 corporations, companies and educational institutions, whether private or public, to the
23 provisions of this act. Within three (3) years after the enactment of this Act, the JCOC-
24 AD shall conduct an audit of national and local policies that discriminate on the basis
25 of the protected attributes as provided in this Act, and shall submit a report to the
26 Congress, the Office of the President, and the Supreme Court.

27 **SEC. 18. Appropriations.** – The amount necessary for the implementation of
28 this Act shall be included in the annual General Appropriations Act (GAA).

1 **SEC. 19. *Implementing Rules and Regulations.*** — The Inter-Agency Technical
2 Council, in consultation with appropriate CSOs and other stakeholders, shall
3 promulgate the necessary implementing rules and regulations within ninety (90) days
4 from the effectivity of this Act. Further, this Act shall be fully implemented with or
5 without the implementing rules and regulations.

6 **SEC. 20. *Separability Clause.*** — Should any provision of this Act or part hereof
7 be declared unconstitutional, the other provisions or parts not affected thereby shall
8 remain valid and effective.

9 **SEC. 21. *Repealing Clause.*** — This Act shall be without prejudice to the existing
10 special laws prohibiting discrimination on account of the protected attributes such as
11 State principles and mandates underscored in R.A. No. 7277, as amended, entitled,
12 "Magna Carta for Disabled Person", R.A. No. 8371 entitled, " The Indigenous Peoples'
13 Rights Act of 1997', R.A. No. 9710 entitled, "The Magna Carta of Women", R.A. No.
14 10911 entitled, the "Anti-Age Discrimination in Employment Act", and P.D. No. 442,
15 as amended, entitled "Labor Code of the Philippine".

16 All other laws, decrees, orders, and issuances, or portions thereof, which are
17 inconsistent with the provisions of this Act, are hereby repealed, amended, or modified
18 accordingly.

19 **SEC. 22. *Effectivity.*** — This Act shall take effect fifteen (15) days after its
20 publication in two (2) newspapers of general circulation.

21 Approved,