

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



23 MAY 23 A9:59

SENATE

RECEIVED BY: _____

S. No. 2232

Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT
AMENDING REPUBLIC ACT 11313, OTHERWISE KNOWN AS SAFE SPACES
ACT, PROVIDING PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT
IN EDUCATIONAL AND TRAINING INSTITUTIONS AND THE WORKPLACE

Our 1987 Philippine Constitution places great emphasis on the role of women in nation-building, and it mandates equal treatment for all, irrespective of their gender. This is the foundation upon which our laws against sexual harassment are built.

The Anti-Sexual Harassment Act of 1995 (Republic Act No. 7877) was one of the earliest laws designed to protect both men and women from sexual harassment. However, recognizing the need for a more comprehensive approach, the Safe Spaces Act (Republic Act 11313) was enacted in 2018. This newer law expands the definition of sexual harassment, extending its application to include situations in educational and training institutions and workplaces. The law takes into account that harassment can come from any direction - not just those above us in hierarchy but also our peers, subordinates, students, and trainees.

While we've made notable strides in addressing sexual harassment, a significant challenge remains. The penalties for Gender-Based Sexual Harassment under the existing laws are not commensurate with the severity of the crime and the harm it inflicts on its victims. The current penalty is a jail term ranging from one to six months, or a fine from Ten Thousand to Twenty Thousand Pesos, or a

combination of both. This punishment is even less severe than the penalties for Gender-Based Online Sexual Harassment under the Safe Spaces Act, and it is considerably less than penalties outlined in the Anti-Sexual Harassment Act.

It is clear that the penalties as they stand are not enough of a deterrent, nor do they offer sufficient justice to victims. This bill proposed to amend the Safe Spaces Act to establish more appropriate penalties for sexual harassment violations. These amendments will reflect the broader definition of sexual harassment covered under the Safe Spaces Act and will aim to provide justice proportionate to the gravity of the offense.

In sum, I recommend the approval of this bill.


CYNTHIA A. VILLAR

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

1 Section 1. A new section denominated as Section 20-A is hereby inserted after
2 Section 20 of the Republic Act 11313 otherwise known as Safe Spaces Act, to read
3 as follows:

4 "Section 20-A. *Penalties for Gender-Based Sexual Harassment in the*
5 *Workplace.* - The penalty of *prision correccional* in its maximum period or a
6 fine of not less than two hundred fifty thousand pesos (P250,000.00) but not
7 more than five hundred thousand pesos (P500,000.00), or both, at the
8 discretion of the court shall be imposed upon any person found guilty of any
9 gender-based sexual harassment under this Article.

10 If the perpetrator is the head of the workplace or organization, his or her
11 appointment shall be automatically deemed revoked upon conviction. An alien
12 who commits gender-based sexual harassment in the workplace shall be
13 subject to deportation proceedings after serving sentence and payment of
14 fines."

1 Sec. 2. A new section denominated as Section 26-A is hereby inserted after
2 Section 26 of the same Act, to read as follows:

3 "*Section 26-A. Penalties for Gender-Based Sexual Harassment in Education or*
4 *Training Institutions.* - The penalty of prision correccional in its maximum
5 period or a fine of not less than two hundred fifty thousand pesos
6 (P250,000.00) but not more than five hundred thousand pesos (P500,000.00),
7 or both, at the discretion of the court shall be imposed upon any person
8 found guilty of any gender-based sexual harassment under this Article.

9 If the perpetrator is the head of the school or organization, his or her
10 appointment shall be automatically deemed revoked upon conviction. An alien
11 who commits gender-based sexual harassment in an education or training
12 institution shall be subject to deportation proceedings after serving sentence
13 and payment of fines."

14 Sec. 3. *Separability Clause.* - Should any provision of this Act or any part
15 thereof be declared invalid, the other provisions, insofar as they are separable from
16 the invalid one, shall remain in full force and effect.

17 Sec. 4. *Repealing Clause.* - All laws, decrees, orders, issuances, and rules and
18 regulations or parts thereof inconsistent with the provisions of this Act are hereby
19 repealed or modified accordingly.

20 Sec. 5. *Effectivity.* - This Act shall take effect fifteen (15) days after its
21 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,