



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5462

Introduced by **Representative MA. RENE ANN LOURDES G. MATIBAG**

**AN ACT PROVIDING FOR A MAGNA CARTA FOR LGBTQ+ FILIPINOS,
ESTABLISHING THE PHILIPPINE COMMISSION ON LGBTQ+ AFFAIRS,
PROHIBITING DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION,
GENDER IDENTITY AND EXPRESSION, AND SEX CHARACTERISTICS (SOGIESC),
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The 1987 Constitution guarantees that “the State shall value the dignity of every human person and guarantee full respect for human rights” (Art. II, Sec. 11). Despite this, LGBTQ+ Filipinos continue to experience systemic discrimination, exclusion, and violence.

While some protections exist under laws such as the Safe Spaces Act (RA 11313), the Anti-Bullying Act (RA 10627), and the Magna Carta of Women (RA 9710), there remains no comprehensive law that ensures full equality, social protection, and institutional mechanisms for LGBTQ+ rights.

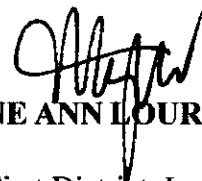
This Act seeks to establish a Magna Carta for LGBTQ+ Filipinos that will:

1. Define and guarantee the fundamental rights and freedoms of LGBTQ+ persons;
2. Prohibit and penalize all forms of discrimination based on SOGIESC;
3. Mandate health, education, livelihood, and welfare programs responsive to the needs of LGBTQ+ persons;
4. Establish the Philippine Commission on LGBTQ+ Affairs to ensure nationwide policy coordination; and

5. Institutionalize local implementation through councils and focal points.

The enactment of this measure will affirm the dignity and equality of all Filipinos, strengthen our human rights framework, and contribute to building an inclusive nation where no one is left behind.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



REP. MA. RENE ANN LOURDES G. MATIBAG

First District, Laguna



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

SECTION 1. *Short Title.* This Act shall be known as the “**Magna Carta for LGBTQ+ Filipinos.**”

SEC. 2. *Declaration of Policy.* The State shall:

- a) Recognize, respect, and protect the rights, dignity, and freedoms of all persons regardless of SOGIESC;
- b) Eliminate all forms of discrimination and violence against LGBTQ+ persons;
- c) Promote equality and inclusion in political, economic, educational, cultural, and social life;
- d) Provide adequate social protection, education, and health programs responsive to LGBTQ+ needs;
- e) Establish national and local mechanisms to guarantee full implementation of this policy.

SEC. 3. *Definition of Terms.* For purposes of this Act, the following terms are defined:

- a) *LGBTQ+* – Refers to Lesbian, Gay, Bisexual, Transgender, Queer, and other persons of diverse sexual orientation, gender identity and expression, and sex characteristics.
- b) *SOGIESC* – Sexual Orientation, Gender Identity and Expression, and Sex Characteristics.
- c) *Discrimination* – Any distinction, exclusion, restriction, or preference based on SOGIESC which has the effect or purpose of impairing recognition or exercise of human rights and freedoms.
- d) *Gender-Based Violence* – Acts or threats of physical, sexual, psychological, or economic harm committed on the basis of SOGIESC.
- e) *Inclusive Spaces* – Public or private facilities, services, and environments safe and accessible to all regardless of SOGIESC.

SEC. 4. *Rights Guaranteed Under this Act.* The State shall ensure LGBTQ+ persons enjoy the following rights:

- a) Right to equality and non-discrimination;
- b) Right to life, liberty, and security of person;
- c) Right to access public services and spaces without discrimination;
- d) Right to inclusive and non-discriminatory education;
- e) Right to the highest attainable standard of health, including gender-affirming healthcare;
- f) Right to privacy and protection of personal data;
- g) Right to participate in political, cultural, and public life;
- h) Right to social protection, livelihood, and housing assistance.

SEC. 5. *Prohibited Discriminatory Acts.* It shall be unlawful to, on the basis of SOGIESC:

- a) Deny access to public services, facilities, and accommodations;
- b) Refuse employment, promotion, training, or dismiss a person;
- c) Deny admission to or expel a student from any educational institution;
- d) Deny access to medical and health services, including gender-affirming care;
- e) Harass, bully, ridicule, or subject a person to violence;
- f) Deny professional licenses, accreditations, or permits;
- g) Refuse entry to establishments, housing, or transport;

h) Publish, broadcast, or circulate materials that promote hatred or incite violence against LGBTQ+ persons.

SEC. 6. Penalties.

- a) Any person who commits any of the prohibited acts under Section 10 shall be liable to:
- **First offense** – Fine of not less than ₱100,000 and/or community service;
 - **Second offense** – Fine of not less than ₱250,000 and/or imprisonment of not less than 30 days;
 - **Subsequent offenses** – Fine of not less than ₱500,000 and/or imprisonment of not less than six (6) months.
- b) If the offender is a public official, the penalty shall include **perpetual disqualification from public office**.

SEC. 7. Philippine Commission on LGBTQ+ Affairs. There is hereby created the Philippine Commission on LGBTQ+ Affairs, attached to the Office of the President. The Commission is mandated to formulate national policy, coordinate programs, and monitor implementation of this Act.

The Commission shall:

- i. Advise the President and Congress on policies affecting LGBTQ+ persons;
- ii. Formulate and oversee the National LGBTQ+ Rights and Welfare Program;
- iii. Monitor compliance by national and local government agencies with the provisions of this Act;
- iv. Administer grants and support to programs for the LGBTQ+ community; and
- v. Maintain a National SOGIESC Database for research and policy purposes.

It shall be composed of a Chairperson (with the rank of Undersecretary), four Regional Commissioners (Luzon, Visayas, Mindanao, NCR), and two Sectoral Commissioners (youth and senior LGBTQ+).

SEC. 8. Institutional Mechanisms for Implementation. For the effective implementation of this Act,

- a) All national government agencies, government-owned and controlled corporations (GOCCs), and local government units (LGUs) shall designate SOGIESC Focal Points to coordinate the implementation of this Act.
- b) LGUs shall create Local LGBTQ+ Councils to serve as consultative and monitoring bodies for programs at the community level.

SEC. 9. Welfare and Support Programs. The State, through the Commission and relevant agencies, shall implement programs for:

- a) Health and mental health programs, including gender-affirming care;
- b) Education scholarships, anti-bullying programs, and awareness campaigns;
- c) Livelihood, employment support, and housing assistance;
- d) Emergency shelters for victims of violence, abuse, or rejection;
- e) Nationwide campaigns promoting equality, respect, and diversity.

SEC. 10. *Appropriations.* Funds necessary for initial implementation shall be charged to the current appropriations of the Office of the President. Thereafter, funding shall be included in the annual General Appropriations Act.

SEC. 11. *Implementing Rules and Regulations.* Within ninety (90) days from effectivity, the Commission, in consultation with stakeholders, shall issue IRR for this Act.

SEC. 12. *Separability Clause.* If any provision is declared unconstitutional or invalid, the remaining provisions shall remain in force.

SEC. 13. *Repealing Clause.* All inconsistent laws, decrees, or regulations are repealed or amended accordingly.

SEC. 14. *Effectivity.* This Act shall take effect 15 days after publication in the Official Gazette or in at least two newspapers of general circulation.

Approved,