

**ORDINANCE NO. 2011-032**

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

**AN ORDINANCE REQUIRING ALL GOVERNMENT AGENCIES/OFFICES AND PRIVATE ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF NAGA TO ESTABLISH BREASTFEEDING CORNER/ROOM IN THEIR OFFICE/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF:-**

Sponsor: Hon. Cecilia Veluz-de Asis

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

**ARTICLE I  
DECLARATION OF PRINCIPLES AND POLICIES**

**SECTION 1.** The Philippines is committed to the attainment of the Millennium Development Goals No. 1 on reducing hunger and poverty with a measure on reducing child mortality by two thirds by 2015.

**SECTION 2.** The World Health Organization's experts have identified breastfeeding as the most cost-effective measure to prevent infant and young child deaths.

**SECTION 3.** The Department of Health's National Policy on Infant and Young Child feeding and the Nutritional Guideline of the Philippines (NGP) recommended the following:

- (a) Breastfeeding initiated within one (1) hour after birth;
- (b) Exclusive breastfeeding for the first six (6) months of life;
- (c) Continue breastfeeding up to two (2) years and beyond with the introduction of safe, affordable and appropriate complementary food.

**SECTION 4.** Republic Act No. 10028, an Act expanding the promotion of breastfeeding, amending Republic Act No. 7600, otherwise known as "An Act providing incentives to all government and private health institutions with rooming-in and breastfeeding practices and for other purposes; thus, otherwise known as the Expanded Promotion of Breastfeeding Act of 2009, requires all private and public institutions, medical and non-medical, to set up lactation facilities in the workplace with appropriate lactation program to allow employees to express their milk that would ensure optimum health and proper nutrition of their infants.

**SECTION 5.** Memorandum Circular No. 2011-54 from the Department of Interior and Local Government emphasizes the implementation and monitoring of the National Policy on Breastfeeding and setting-up of workplace lactation program.

**SECTION 6.** Breastfeeding is a gender-related concern and should be incorporated in the GAD Plan of all government and private agencies and offices.

**ARTICLE II**  
**SCOPE AND COVERAGE**

**SECTION 7. Scope.** This Ordinance shall apply to all government offices and private establishments and institutions operating within the territorial jurisdiction of the City of Naga.

**SECTION 8. Facility.** It shall be the duty of the employer to provide a breastfeeding room in their office/establishment to allow mothers to either breastfeed their babies whom they bring to work or express their breast milk for giving to infant upon reaching their home. And to allow mothers/customers who visit an office or establishment to breastfeed their babies with the use of the said facility.

**SECTION 9. Minimum Requirement.** The breastfeeding room shall be private and comfortable to ensure that the health and safety of mothers and their babies are observed. Appropriate breast milk storage, handwashing facility, table and comfortable chairs shall be provided by the employer.

The minimum requirement provided on the setting up of a "Mother-Baby Friendly Workplace" shall be observed. Proper use and maintenance of the facility shall also be observed at all times. The use of the breastfeeding facility shall be free of charge.

**ARTICLE III**  
**MECHANISM FOR ENFORCEMENT**

**SECTION 10.** Compliance with this ordinance shall be a requirement for the granting and/or renewal of business licenses and permits. For this purpose, the office of the City Treasurer shall deny new and/or renewal applications for business licenses and permits without the following:

- a) Certification by the Naga City Population and Nutrition Office on the compliance with this ordinance.

**SECTION 11.** The City Population and Nutrition Office and the City Health Office are hereby authorized to conduct regular visitation and inspection of the breastfeeding room to ensure faithful compliance of this ordinance.

**FINAL PROVISIONS**

**SECTION 12. Penalties.** Any person, natural or judicial, found guilty of violating any of the provisions hereof shall be imposed a fine of Five Thousand (P5,000.00) Pesos.

**SECTION 13. Separability Clause.** Should any provision hereof be declared unconstitutional or ultra vires, the others not so declared shall remain in full force and effect

**SECTION 14. Repealing Clause.** All other provisions of existing ordinances, resolutions and executive issuances inconsistent with this ordinance are hereby repealed, amended or modified accordingly.

**SECTION 15. Effectivity.** This ordinance shall take effect fifteen days after the same has been published in a newspaper of general circulation in Naga City.

Enacted: June 28, 2011.

xxx

xxx

xxx

**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

**GABRIEL H. BORDADO, JR.**  
City Vice Mayor &  
Presiding Officer

**APPROVED:**

**JOHN G. BONGAT**  
City Mayor