

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 4689



Introduced by REP. KAKA BAG-AO, REP. SOL ARAGONES
and REP. MA. LOURDES AGGABAO

EXPLANATORY NOTE

Population variables remain as significant factors of socio-economic and human development at the macro as well as at the household level. The Philippines is presently a home to an estimated one hundred million Filipinos based on the National Statistics Office (NSO) Projections in 2015. While the government has remarkably posted a significant 7.2 percent growth domestic product (GDP) growth rate in 2013, this large population makes it difficult to translate such economic gains into food, shelter, and work for every Filipino.

The implications of this population outcome are most evident in urbanizing areas and among poor households as propelled by internal migration and high fertility level. With the continuously growing population, LGUs find it challenging to provide for the universal welfare of their constituents due to limited resources. These population outcomes and processes have consequently widened socio-economic disparity and inequality because of scarce resources.

The provision on the appointment of a local Population Officer in Section 488 of the 1991 Local Government Code (LGC) is basically rationalized within the impact of population factors to development. As such, local Population Officers are basically mandated to plan and implement population development and responsible parenthood initiatives.

Nonetheless, the same statutory law provides for the appointment of a Population Officer as merely an option for the LGUs. With this option, many LGUs have opted not to maintain their population offices despite the prominent population development issues in their areas. A few existing offices have primarily focused on implementing family planning-related programs while others were assigned functions beyond their LGC-mandated responsibilities.

Some additional responsibilities involve population-related issues and concerns. Thus, majority of local Population Offices and Population Officers are undertaking the following, as contained in other laws and issuances:

- Magna Carta of Women (Republic Act 9710), which seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors. It also mandates (a) planning, budgeting, monitoring and evaluation for gender and development, (b) the creation and/or strengthening of gender and development focal points, and (c) the generation and maintenance of gender statistics and sex-disaggregated databases to aid in planning, programming and policy formulation;

- Urban Development and Housing Act (Republic Act No. 7279), which seeks to uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities. It also seeks a reduction in urban dysfunctions, particularly those that adversely affect public health, safety and ecology; and encourage more effective people's participation in the urban development process;
- Magna Carta for Disabled Persons (Republic Act No. 7277), which aims to facilitate integration of disabled persons into the mainstream of society; advocate for and encourage respect for disabled persons; exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to disabled persons;
- Joint Memorandum Circular No. 01 Series of 2002 of the DILG, DOH and DSWD to form a Pre Marriage Counselling (PMC) team with Population Officers/Workers at the lead. This is anchored on Presidential Decree 965 mandating all engaged couples to attend a Pre-marriage Counselling (PMC) session as a requirement for a marriage licence. All local government units are enjoined to adopt amendments for the efficient and effective delivery of the PMC program.

Recognizing the important role of population factors in national and local development, there is a need to strengthen the local population offices to achieve its mandated functions under the LGC and broaden its responsibilities in ensuring the achievement of population outcomes that can accelerate socio-economic development in the locality in the context of informed choice and volunteerism and responsible parenthood.

As a way of strengthening this local structure, there is a need to make the establishment and operation of Population Offices mandatory to ensure effective population management strategies and measures at the local level. Such population office shall be primarily responsible in addressing population development issues in the locality, to include a) increasing teenage pregnancy; b) high unintended pregnancies; c) rapid urbanization in cities and declining quantity of human resource in out-migration areas; d) unmanaged human settlements especially in environmentally hazardous areas; and, e) gender inequality and discrimination.

The immediate passage of this bill is earnestly sought.


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4th District, Isabela

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Introduced by REP. KAKA BAG-AO, REP. SOL ARAGONES
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AN ACT MANDATING THE CREATION OF A LOCAL POPULATION DEVELOPMENT OFFICE IN ALL PROVINCES, CITIES, AND MUNICIPALITIES AND PRESCRIBING ITS DUTIES AND FUNCTIONS

Be it enacted by the Senate and House of Representative of the Philippines in Congress assembled.

Section 1. Short Title. This Act shall be known as the "*Local Population Development Act of 2016*".

Section 2. Declaration of Policy. It shall be the policy of the State to:

- (a) Promote inclusive growth by providing equal and equitable opportunities to all segments of population regardless of age, sex, socio-economic conditions, sexual orientation, gender identity, race, religion, and other social categories to achieve their desired quality of life;
- (b) Ensure that the needs of the people, generated through empirical and consultative process, shall serve as the central consideration for all development initiatives particularly in development planning, policy development, and resource allocation;
- (c) Promote and capacitate couples and individuals to achieve their reproductive goals and rights including the right to decide and achieve the timing, number, and spacing of children in the context of responsible parenthood, informed choice, and respect for life;
- (d) Promote, ensure, uphold, respect, and protect the right of all individuals to migrate in search of better opportunities and the provision of non-discriminatory services for migrant and residents alike; and
- (e) Promote and enhance the capacity of local government units (LGUs) for local autonomy in ensuring the general welfare and development of all their people.

Section 3. Objectives. This Act provides for and shall govern:

1. The establishment and operation of Population Offices mandatory to ensure effective population management strategies and measures at the local level; and

2. Address population development issues in the locality which includes increasing teenage pregnancy, high unintended pregnancies, rapid urbanization in cities and declining quantity of human resources in- and out- migration areas, unmanaged human settlements especially in environmentally hazardous areas, and gender inequality and discrimination.

Section 4. *Creation of Population Development Office.* All provinces, cities, and municipalities shall create an independent Population Development Office to be headed by a Population Development Officer. The Population and Development Office shall be provided with full staff complement. Provided, that existing Population Offices or their equivalent under Section 488 of Republic Act 7160 shall be renamed and strengthened based on the duties and functions herein below provided.

Section 5. *Duties and Functions.* The Population Development Office shall perform the following duties and functions:

- (1) Establish and maintain a comprehensive, integrated and updated population development information system that contains household demographic and socio-economic profile to be used in analysing population needs and projecting service requirements;
- (2) Recruit, organize and mobilize Barangay Population Workers and other community workers or volunteers for data generation, household demographic and socio-economic profiling, and community health promotion and advocacy;
- (3) Assist other local departments in generating and projecting population development data needed in their planning and program development functions and provide technical assistance in integrating population development needs and gender dimensions in their sectoral development programs and projects particularly marginalized and indigenous people;
- (4) Design and undertake Population Development related services, studies and researches;
- (5) Establish mechanisms for monitoring in- and out-migration movement and human settlement patterns especially across eco-systems for planning and programming and formulate measures for the development of the migrants and development of effective urban management strategies;
- (6) Promote responsible parenthood and family planning particularly through the conduct of Information Education Communication Motivation (IECM), demand generation activities, and ensure provision or referral of appropriate FP services;
- (7) Oversee, coordinate and manage the implementation of Pre-marriage counselling (PMC) at the local level pursuant to the Implementing Rules and Regulations (IRR) of the Responsible Parenthood and Reproductive Health Act of 2012;
- (8) Formulate and implement measures to prevent unintended pregnancies among young people and promote adolescent health and youth development; and
- (9) Exercise other duties and functions as may be prescribed by a local ordinance and legal issuances.

Section 6. Setting of minimum standards for population development data and information system shall be set by the Commission Population (POPCOM) with Philippine Statistics Authority (PSA) and National Economic Development Authority (NEDA).

Section 7. *Qualification Standard.* No person shall be appointed population officer unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree with specialized training in population development from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have experience in the implementation of programs on population development or responsible parenthood for at least five (5) years in the case of the provincial or city population officer, and three (3) years in the case of the municipal population officer.

Section 8. *Salary.* The Population Development Officer shall receive a minimum monthly compensation commensurate to that of other local department heads and shall be adjusted according to relevant future statutory provisions on salaries of public officials and employees.

Section 9. *Staffing Pattern.* The staffing pattern and plantilla positions of the Population Development Office shall be determined by the local *Sanggunian* through an approved ordinance or executive order based on qualifications standard by the Civil Service Commission. Salaries for Population Officers and personnel shall be exempted from the general limitations cited in Rule XXXIV, Article 20 of the Local Government Code.

Section 10. *Capacitating the Local Population Development Office.* The Commission on Population and other relevant agencies through its regional offices shall provide technical assistance in capacitating the local population development office for the effective performance of their duties and functions.

Section 11. *Rules and Regulations.* The POPCOM, as the lead agency, together with the representatives from the Department of Health (DOH), Department of Interior and Local Government (DILG), National Economic Development Authority (NEDA), Philippine Statistics Authority (PSA), League of Cities in the Philippines (LCP), League of Provinces in the Philippines (LPP), League of Municipalities of the Philippines (LMP), *Liga ng Barangay*, and two representatives from non-government organizations (NGOs), will formulate the Implementing Rules and Regulations within ninety (90) days from approval of this law.

Section 12. *Appropriation.* The budget and allocations for the operations of the Population and Development Office shall, upon the effectivity of this Act, be accordingly approved and provided by the Local *Sanggunian*.

Section 13. *Separability Clause.* If any part or provision of this Act is held invalid or unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain valid and subsisting.

Section 14. *Repealing Clause.* All other laws, decrees, orders, issuances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly. Section 488 of the Local Government Code of 1991 (RA 7160) is specifically repealed.

Section 15. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.