

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3498**

HOUSE OF REPRESENTATIVES	
RECEIVED	
DATE:	06 SEP 2016
TIME:	2:50 PM
BY:	Perla
REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Representative ALFRED VARGAS

EXPLANATORY NOTE

Several provisions of the 1987 Constitution stressed the responsibility of the government to nurture the Filipino family to ensure our development as a nation:

"The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution... The natural and primary right and duty of the parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government." (Article II, Section 12)

"The State recognizes the family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development." (Article XV, Section 1)

Concern for solo parents has grown considerably in recent years with the enactment of Republic Act No. 8972 or the Solo Parents' Welfare Act of 2000 which requires the State, particularly the Department of Social Welfare and Development and other related agencies to draw up comprehensive packages of benefits which include tax breaks, housing benefits, and health and education insurance. However, upon this Representation's consultation with the sector, we find that there is a need to amend the law to make it more responsive to the needs of solo parents and their households.

This bill seeks to further strengthen the Solo Parents' Welfare Act. First, it decreases the waiting period from one year to six months before a solo parent can be allowed to avail of benefits as a solo parent. Second, as solo parents are vulnerable to economic limitations, the bill grants additional benefits to solo parents like discounts on children's clothing materials, and baby's milk, food, medicines and vitamins. Last, the bill includes penalties for non-compliance to the amended law and the inclusion of budget appropriation for its implementation.

Recognizing that the quality of parenting, not the presence or absence of father or mother, determines the holistic development of the youth and the Filipino family, the State must exert all efforts to lend a helping hand to our solo parents.


ALFRED VARGAS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 3498

Introduced by Representative ALFRED VARGAS

AN ACT GRANTING ADDITIONAL BENEFITS TO SOLO PARENTS AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE "SOLO PARENTS WELFARE ACT OF 2000"

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

SECTION 1. Sections 2 and 3 of Republic Act No. 8972 are hereby amended to read as follows:

"SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and to ensure its total development. Towards its end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the ~~{Department of Education, Culture and Sports}~~**Department of Education (DepEd)**, the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE), and other related government and non-government agencies.

SECTION 3. *Definition of Terms* - Whenever used in this Act, the following terms shall mean as follows:

- a) "*Solo Parent*" - any individual who falls under any of the following categories:

(1) A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender: Provided, That the mother keeps~~{and raises}~~ the child **and bears sole and lone parenting responsibility;**

X XX;

(3) Parent ~~{left solo or alone with}~~ **who bears sole and lone parenting** responsibility ~~{of parenthood}~~ while the spouse is detained or is serving sentence for a criminal conviction for at least ~~{one (1) year}~~ **six (6) months**;

X XX;

(5) Parent ~~{left solo or alone with the}~~ **who bears sole and lone parenting** responsibility ~~{of parenthood}~~ due to legal separation or *de facto* separation from spouse for at least ~~{one (1) year}~~ **six (6) months**, as long as ~~{he/she}~~ **the solo parent** is entrusted with the custody of the children;

X XX;

(7) Parent ~~{left solo or alone with the}~~ **who bears sole and lone parenting** responsibility ~~{of parenthood}~~ due to abandonment of spouse for at least ~~{one (1) year}~~ **six (6) months**;

X XX;

(9) Any ~~{other}~~ **legal guardian, adoptive or foster parent** who solely provides parental care and support to a child or children; ~~{and}~~

X XX; and

(11) **Parent who bears solo and lone parenting responsibility due to the disability or incapacity of the other spouse to be employed at least six (6) months**;

X XX

e) "Flexible work schedule" – is the right granted to a solo parent employee to vary ~~{his or her}~~ **the** arrival and departure time **in the office or employment** without affecting the core work hours as defined by the employer."

SECTION 2. Sections 4 and 5 of the Act are hereby amended to read as follows:

"SECTION 4. Criteria for Support – Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the ~~{National Economic and Development Authority (NEDA)}~~ **National Statistics Coordination Board (NSCB)**, ~~{and}~~ subject to the assessment of the ~~{DSWD worker}~~ **city or municipal social welfare and development officer** in the area **where the solo parent**

resides, shall be eligible for assistance: *Provided, however,* That any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in sections 6, 7 and 8 of this Act.

SECTION 5. Comprehensive Package of Social Development and Welfare Service – A Comprehensive package of social development and welfare services for solo parents and their families ~~will~~ shall be developed by the ~~DSWD~~ **Secretary of the Social Welfare and Development**, in coordination with the DOH, ~~DECS~~ **DepEd**, CHED, TESDA, DOLE, NHA, ~~and~~ **DILG**, **Department of Trade and Industry (DTI)**, **Bureau of Internal Revenue (BIR)**, **National Economic and Development Authority (NEDA)**, **Civil Service Commission (CSC)**, **National Council of Women in the Philippines (NCWP)**, **Union of Local Authorities of the Philippines (ULAP)**, ~~in coordination with~~ local governments units and a non-governmental organization with proven track record in providing services for solo parents.

X XX”

SECTION 3. Section 8, 9 and 10 of the same Act are hereby amended to read as follows:

“SECTION 8. Parental Leave – In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days every year shall be granted to any solo parent employee who has rendered service of at least ~~one (1) year~~ **six (6) months**.

SECTION 9. Educational Benefits – The ~~DECS~~ **DepEd**, CHED and TESDA shall provide the following benefits and privileges.

- (1) Scholarship programs for qualified solo parents and their children in institutions of basic, tertiary, and technical ~~for~~ **vocational** skills education; and

X XX

SECTION 10. Housing Benefits – Solo parents shall be given allocation in housing projects and shall be provided with liberal terms of payment on said government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line as declared by the ~~NEDA~~ **NSCB**.”

SECTION 4. New sections to be denominated as Sections 13, 14, 15 and 16 are hereby added to read as follows:

“SECTION 13 .Solo Parent Identification Card (SPIC) – Upon qualification and submission of proper documents, an identification card approved by the local chief executive where the solo parent

resides, shall be issued to the qualified solo parent by the city or municipal social welfare and development officer.

SECTION 14. Additional benefits – A solo parent shall be entitled to the following additional benefits:

- a.) Ten percent (10%) discount on children's clothing materials for all purchases made within two (2) years from the birth of the child of the solo parent;
- b.) Fifteen percent (15%) discount on baby's milk, food and food supplement for all purchases made within two (2) years from the birth of the child of the solo parent; and
- c.) Fifteen percent (15%) discount on all purchases of the solo parent of medicines and other medical supplement or supplies that shall be used by the child who is five (5) years old and below.

To avail of these benefits, the solo parent shall submit or present the solo parent identification card and the birth certificate of the child or other evidence of entitlement.

The corporation or business establishment that gives a discount to the solo parent in accordance with this section shall be entitled to claim the discount given as a business expense subject to proper recording and documentation.

SECTION 15. Inter-Agency Coordinating and Monitoring Committee – A special inter-agency committee hereinafter referred to as the Committee, shall be established to coordinate and monitor the implementation of this Act. The Committee which shall be constituted within ninety (90) days upon the effectivity of this Act shall be composed of the following:

- A.) DSWD Secretary as Chair;
- B.) DOH Secretary or any authorized representative;
- C.) DepEd Secretary or any authorized representative;
- D.) DOLE Secretary or any authorized representative;
- E.) DILG Secretary or any authorized representative;
- F.) DTI Secretary or any authorized representative;
- G.) Commissioner of the BIR or any authorized representative;
- H.) Chairperson of the CHED or any authorized representative;
- I.) Chairperson of the CSC or any authorized representative;
- J.) Chairperson of the NCWP or any authorized representative;
- K.) Director General of the NEDA or any authorized representative;

- L.) General Manager of the NHA or any authorized representative;
- M.) A representative of the ULAP.

The Committee shall submit a regular report to congress on the implementation of this Act every three (3) years following its effectivity.

SECTION 16. *Penalties* - Any person, corporation, entity or agency who refuses or fails to provide the benefits granted to the solo parent in violation of this act shall suffer the following penalties:

- 1.) For the first violation - A fine of not less than ten thousand pesos (Php10,000.00) but not more than fifty thousand pesos (Php50,000.00) or imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.
- 2.) For subsequent violation - a fine not less than one hundred thousand pesos (Php100,000.00) but not more than two hundred thousand pesos (Php200,000.00) or imprisonment of not less than one (1) year but not more than two (2) years, or both, at the discretion of the court.

If the offender is a corporation, partnership, or organization or any similar entity, the employees and officials directly involved such as the President, General Manager, Managing Partner or other officer charged with the management of its affairs shall be liable therefor.

If the offender is an alien, the offender shall be deported immediately after service of sentence without further deportation proceedings.

Upon filing of an appropriate complaint and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any business entity that fails to abide by the provision of this act.

Any person who misrepresents status or falsifies any document to avail of the benefits provided under this act or any person who abuses the privileges granted herein shall be punished with a fine of not less than ten thousand pesos (Php10,000.00) but not more than fifty thousand pesos (Php50,000.00) and imprisonment of not less than six (6) months.

Upon finding by the DSWD that a department agency, or instrumentality of the government, a government-owned or controlled corporation (GOCC) or a local government unit, had violated any provision of this Act, sanctions under the administrative law, civil

service or other laws may be recommended to the CSC or the DILG against the head of the agency or the local chief executive and the person directly responsible for the violation.”

SECTION 5. Sections 13 and 14 of the same Act are hereby renumbered as Section 17 and 18 and amended as follows:

“SECTION ~~{13}~~ 17. Implementation Rules and Regulations - ~~{An inter-agency committee headed by}~~ **Within ninety (90) days from the approval of this Act, the DSWD shall, in consultation and coordination with the DOH, ~~{DECS}~~DepEd, CHED, TESDA, DOLE, NHA, ~~{and}~~ DILG, DTI, BIR, NEDA, CSC, NCMF, NCIP, PCW, and ULAP, ~~{is hereby established which shall formulate, within ninety (90) days upon the effectivity of this Act, the implementing rules and regulations in consultation with the local government units, nongovernment organizations and people's organizations.}~~ issue the necessary rules and regulations for the effective implementation of this Act.**

SECTION ~~{14}~~ 18. Appropriations - The amount necessary to carry out the provision of this Act shall be included in the budget of the concerned government agencies in the **annual** General Appropriations Act (GAA)~~{of the year following its enactment into law and thereafter}~~.

Government agencies may utilize a portion of their respective budget for gender and development programs and activities to implement this Act.

For purposes of this section, gender and development refers to processes undertaken by government agencies to address gender issues and transform structures of society to achieve gender equality and emphasize the fundamental role of women as active agents of development and not just passive recipients of assistance.”

SECTION 6. Sections 15, 16, and 17 of the same Act, are hereby renumbered as Sections 19, 20 and 21, respectively.

SECTION 7. All laws, executive orders or issuance, or any part of thereof which are inconsistent herewith are hereby repealed or amended accordingly.

SECTION 8. If any provision of this Act shall be declared unconstitutional, the other provision not affected thereby shall continue to be in full force and effect.

SECTION 9. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulations.

Approved,