

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)



HOUSE of REPRESENTATIVES

House Bill No. 3902

Introduced by: **HON. DAN S. FERNANDEZ**
First District, Laguna

EXPLANATORY NOTE

This bill seeks to further provide additional benefits to solo parents on top of what were provided for under Republic Act 8972, otherwise known as the Solo Parents Welfare Act of 2000.

Given today's challenging environment of raising children, solo parents face more burdens compared to married couples raising children. Apart from being a father or mother to a child, the solo parent is also breadwinner and home builder. The demands of parenting plus the added burden of earning a living in today's very competitive job market render the situation of solo parents very stressful.

While Republic Act 8972 was comprehensive in its scope, it was not all-encompassing given the changing realities for solo parents. This bill thus proposes to fill in the gaps that the original law may have overlooked.

Among the amendments sought to be introduced by this proposal is to shorten the time frames and the rendering of other assistance that will make life bearable for solo parents.

In view of the need to further assist solo parents in these challenging times, approval of this bill is earnestly sought.


DAN S. FERNANDEZ
1st District, Laguna

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House Bill No. 3902

Introduced by: **HON. DAN S. FERNANDEZ**
First District, Laguna

**AN ACT AMENDING REPUBLIC ACT 8972 OTHERWISE KNOWN AS THE SOLO
PARENTS WELFARE ACT OF 2000, PROVIDING ADDITIONAL BENEFITS, AND
FOR OTHER PURPOSES**

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

SECTION 1. Section 3 of the Act is hereby amended to read as follows:

*“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;
- (2) Parent left solo or alone with the responsibility of parenthood due to
death of the spouse;
- (3) Parent left solo or alone with the responsibility of parenthood while
spouse is detained or is serving sentence for a criminal conviction for
at least one (1) year;
- (4) Parent left solo or alone with the responsibility of parenthood due to
physical and/or mental incapacity of spouse as certified by a public
medical practitioner;

- (5) Parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least [~~one (1) year~~] **SIX (6) MONTHS**: Provided, That he/she is entrusted with the custody of the children;
- (6) Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church: Provided, That he/she is entrusted with the custody of the children;
- (7) Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least [~~one (1) year~~] **SIX (6) MONTHS**;
- (8) Unmarried mother/father who has preferred to keep and rear his/her child/children and who has actual custody of the said child/children, instead of having others care for them or giving them up to a welfare institution;
- (9) Any other person who [~~solely provides parental care and support to a child or children~~] BEARS SOLE PARENTAL RESPONSIBILITY FOR A CHILD OR CHILDREN, INCLUDING A FOSTER PARENT DULY-RECOGNIZED BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, A LEGAL GUARDIAN APPOINTED BY THE COURT, OR A LEGAL SINGLE ADOPTIVE PARENT; and
- (10) Any family member who assumes the responsibility as the head of the family resulting from the death, abandonment, disappearance or prolonged absence of the parents or solo parent

A change in the status or circumstance of the parent claiming benefits under this Act, such that he/she is no longer left alone with the sole responsibility of parenthood, shall terminate his/her eligibility for these benefits.

- (b) "Children" – refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and not more than eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability.
- (c) "Parental responsibility" – with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209 as amended, otherwise known as the "Family Code of the Philippines."

- (d) "Parental leave" – shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.
- (e) "Flexible work schedule" – is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer.

SECTION 2. There shall also be created and inserted Section 4-A to read as follows:

"SECTION 4"

- (a) SOLO PARENT IDENTIFICATION CARD (SPIC). – THE LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (LSWDO) SHALL ISSUE THE SOLO PARENT IDENTIFICATION CARD UPON THE PRESENTATION OF THE APPLICANT OF THE FOLLOWING DOCUMENTS:
- (b) BARANGAY CERTIFICATION CERTIFYING THAT THE SOLO PARENT IS A RESIDENT OF THE BARANGAY FOR THE LAST SIX (6) MONTHS PRECEDING THE APPLICATION;
- (c) BARANGAY CERTIFICATION OF CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT AS REQUIRED BY THIS ACT;
- (d) CERTIFICATION FROM THE PROPER GOVERNMENT AGENCY AS PROOF OF BIRTH OF CHILD/CHILDREN, DEATH OF PARENTS OR SPOUSE AND OTHER DOCUMENTARY SUPPORT TO ATTEST THE CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT;
- (e) INCOME TAX RETURN OR ANY EQUIVALENT DOCUMENT THAT ESTABLISHES THE INCOME OR FINANCIAL STATUS OF THE SOLO PARENT APPLICANT

THE SPIC SHALL BE ISSUED WITHIN THIRTY (30) DAYS FROM APPLICATION THEREFOR AND SHALL BE VALID FOR ONE (1) YEAR UPON ISSUANCE, SUBJECT TO RENEWAL."

SECTION 3. Section 8 of the Act is likewise 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 **WITH PAY** every year shall be granted to any solo parent employee regardless of employment status who has rendered service of at least [one (1) year] **SIX (6) MONTHS."**

SECTION 4. There shall be created and inserted Section 12-A of the Act to read as follows:

“SECTION 12-A. ADDITIONAL BENEFITS. – IN ADDITION TO THE FOREGOING BENEFITS, SOLO PARENTS WHO HAVE BEEN QUALIFIED AS SUCH BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHALL LIKEWISE BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS:

- (1) TEN PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD MADE WITHIN A PERIOD OF UP TO TWO (2) YEARS FROM THE CHILD’S BIRTH;
- (2) FIFTEEN PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF BABY’S MILK FOOD AND FOOD SUPPLEMENTS MADE WITHIN A PERIOD OF TWO (2) YEARS FROM THE CHILD’S BIRTH;
- (3) FIFTEEN PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF MEDICINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE CHILD MADE WITHIN A PERIOD OF FIVE (5) YEARS FROM THE CHILD’S BIRTH;
- (4) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF SCHOOL SUPPLIES FOR THE CHILD, FOR PURCHASES MADE FROM THE CHILD’S BIRTH UNTIL TWENTY-ONE (21) YEARS OF AGE;
- (5) TAX AMNESTY AND/ OR REDUCTION OF REAL ESTATE OR INHERITANCE TAXES OF SOLO PARENTS;
- (6) BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS (P50,000.00) IN ADDITION TO THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR HIS/HER DEPENDENT CHILD OR CHILDREN; AND
- (7) TEN PERCENT (10%) TUITION FEE DISCOUNT FROM PUBLIC AND PRIVATE SCHOOLS FOR THE CHILD OR CHILDREN FROM GRADE SCHOOL TO COLLEGE.

COMPANIES OR BUSINESSES FROM WHOM DISCOUNTED PURCHASES ARE MADE AS PER THE IMMEDIATELY FOREGOING SECTION SHALL BE ENTITLED TO CLAIM THE SAID DISCOUNTS AS PART OF THEIR BUSINESS EXPENSE, PROVIDED THAT THEY MAINTAIN DETAILED AND SEPARATE RECORDS OF SAID PURCHASES.

SECTION 5. There shall also be created and inserted Section 13-A to read as follows:

"SECTION 13-A. PENALTIES – ANY PERSON, CORPORATION, ENTITY OR AGENCY WHICH REFUSES OR FAILS TO PROVIDE THE BENEFITS GRANTED TO SOLO PARENTS IN VIOLATION OF THIS ACT SHALL SUFFER THE FOLLOWING PENALTIES:

- (1) FOR THE FIRST VIOLATION – A FINE OF NOT LESS THAN TEN THOUSAND PESOS (P10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (P50,000.00) 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 ANY SUBSEQUENT VIOLATION – A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS (P200,000.00) OR IMPRISONMENT OF NOT LESS THAN ONE (1) YEAR BUT NOT MORE THAN TWO (2) YEARS, OR BOTH, AT THE DISCRETION OF THE COURT.

ANY PERSON WHO MISINTERPRETS THE 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 NOT LESS THAN TEN THOUSAND PESOS (P10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (P50,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS. IF THE OFFENDER IS A CORPORATION, PARTNERSHIP OR ORGANIZATION OR ANY SIMILAR ENTITY, EMPLOYEES AND OFFICIALS THEREFORE DIRECTLY INVOLVED SHALL INDIVIDUALLY BE HELD LIABLE THEREFORE.

IF THE VIOLATOR IS AN ALIEN OR A FOREIGNER, HE 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 THAT FAILS TO ABIDE BY THE PROVISION OF THIS ACT.

UPON FINDING OF THE INTERAGENCY COMMITTEE 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 6. Rules and Regulations of the Interagency Committee. Within a period of not more than sixty (60) days from the effectivity of this Act, the Interagency Committee created by the Act shall come up with the rules and regulations necessary for the proper implementation of the amendments to the same.

SECTION 7. Repealing Clause - all laws, decrees, executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 8. Separability Clause. - If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SECTION 9. Effectivity Clause. - This act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,