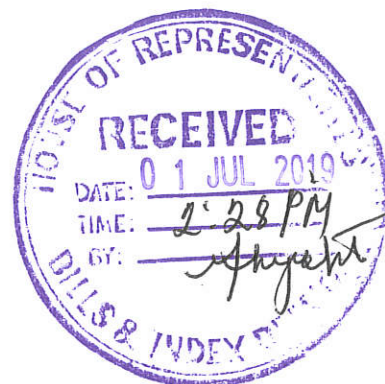


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 478



Introduced by
REP. ARLENE D. BROSAS (Gabriela Women's Party),
REP. FRANCE L. CASTRO (ACT Teachers Partylist), REP. SARAH JANE I. ELAGO (Kabataan Partylist),
REPS. EUFEMIA C. CULLAMAT, CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE (Bayan Muna)

EXPLANATORY NOTE

It is the policy of the State to promote the family as the foundation of the nation, and in support of this policy, Republic Act No. 8972 or the Solo Parents' Welfare Act of 2000 was enacted to develop a comprehensive program for social welfare and development of solo parents and their children.

RA 8972 recognizes that solo parents are among the vulnerable members of our society. They singly bear parental burden and, as such, they have special needs that vary from psychological and emotional to financial, that must be addressed by the State. Thus, RA 8972 provides for benefits for qualified solo parents.

According to the 2nd Impact Assessment of Listahan (the Department of Social Welfare and Development's database), a total of 2 million individuals are solo parents.¹ This data is conservative, considering that not all households are covered by the DSWD's Listahan. Data consolidated by the DSWD from its Solo Parents' Survey from the Local Government Units also show that only 29,219 solo parents in nine (9) regions were issued with identification cards, and only 21,266 of them have availed of their entitlements.²

Generally, the objective of enacting the Solo Parents' Welfare Act is to address the general welfare of the solo parents and their children by providing additional parental leaves and providing necessary flexible work arrangements for them. However, after several consultative assemblies conducted with solo parents, it was found that the law failed to address their needs especially in light of increasing prices under steady wages.

It is also based on this current situation that the state should assist in rearing the children of solo parents, and intervene by providing necessary aid and relief to the solo parents. Most pressing is the need for the state to help enable the solo parents provide their children quality education, adequate and proper health care services, affordable and quality food, clothing, and medicines.

This bill, while expanding the benefits to solo parents, also strengthens the safeguards against abuses. It recognizes the markedly different circumstances between solo parents of affluent background and those who are economically hard up.

There is a need to amend the existing Solo Parents Welfare Act in order to address this need by way of providing for additional benefits to the solo parents as well as penalize those who violate the provisions of the Act.

1 Federation of Solo Parents in LUZVIMIN – United Solo Parents of the Philippines Solo Parents of the Philippines Position Paper
2 ibid

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



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AN ACT AMENDING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE SOLO PARENTS' WELFARE ACT OF 2000, BY PROVIDING FOR ADDITIONAL BENEFITS AND PENAL PROVISION FOR VIOLATIONS OF THE ACT

Be it enacted by the Senate and House of Representatives of the Philippine 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:

XXX

12. PARENT LEFT SOLO OR ALONE FOR AT LEAST ONE (1) YEAR WITH THE RESPONSIBILITY OF PARENTHOOD DUE TO THE DISSOLUTION OF MARRIAGE BY A LEGALLY OBTAINED DIVORCE.

13. A SINGLE/ANNULLED/DIVORCED PARENT WHO MAY HAVE LATER LEGALLY MARRIED BUT WHOSE CHILD IS NOT RECEIVING FINANCIAL SUPPORT FROM THE OTHER PARENT, OR IS NOT LEGALLY ADOPTED BY THE CURRENT SPOUSE

XXX

Section 2. 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. ~~who has rendered service of at least [one (1) year].~~

Section 3. Additional Sections are hereby created and inserted after Section 11 of RA 8972, Additional sections are hereby created and inserted after1 of R.A. 8972 to read as follows:

"SECTION 12. ADDITIONAL BENEFITS. - IN ADDITION TO THE FOREGOING BENEFITS, SOLO PARENTS SHALL LIKEWISE BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS:

1. TEN PERCENT (10%) DISCOUNT FROM ALL PURCHASES OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD FOR PURCHASES MADE WITHIN A PERIOD OF UP TO TWELVE (12) YEARS FROM THE CHILD'S BIRTH;
2. TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF BABY'S MILK, FOOD AND FOOD SUPPLEMENTS FOR PURCHASES MADE WITHIN A PERIOD OF THREE (3) YEARS FROM THE CHILD'S BIRTH;
3. TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF MEDICINES, VACCINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE CHILD FOR PURCHASES MADE WITHIN A PERIOD OF EIGHTEEN (18) YEARS FROM THE CHILD'S BIRTH; AND
4. TWELVE PERCENT (12%) DISCOUNT FROM ALL PURCHASES OF BASIC NECESSITIES;
5. FIFTEEN PERCENT (15%) DISCOUNT FROM ALL PURCHASES OF SCHOOL SUPPLIES FOR THE CHILD FOR PURCHASES MADE WITHIN A PERIOD OF TWENTY ONE (21) YEARS FROM THE CHILD'S BIRTH;
6. TEN (10%) PERCENT DISCOUNT FROM SCHOOL TUITION FEES PER CHILD WHO ARE IN THE COLLEGE LEVEL, BE IT PRIVATE AND PUBLIC COLLEGES AND UNIVERSITIES AND OR PRIVATE HIGH SCHOOL, APPLICABLE EXISTING SCHOLARSHIPS;
7. AT LEAST TWENTY PERCENT (20%) DISCOUNT FROM HOSPITAL BILL OF THE SOLO PARENT OR HIS/HER CHILD IF ADMITTED FOR MEDICAL CARE OR ATTENTION, BE IT PRIVATE OR PUBLIC HOSPITAL;
8. AT LEAST TEN (10 %) DISCOUNT IN CONSULTATION LABORATORY DIAGNOSTIC FEES, AND PURCHASE OF MEDICINES TO SOLO PARENTS AND THEIR DEPENDENTS.
9. BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS (PHP 50,000.00) IN ADDITION TO THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR THEIR DEPENDENT CHILD OR CHILDREN.
10. AT LEAST TWENTY PERCENT (20%) DISCOUNT FROM ALL PRIVATE AND PUBLIC RECREATIONAL FACILITIES PROVIDED THAT THE DISCOUNT WILL BE AVAILED WHEN THE SOLO PARENT AND THEIR DEPENDENTS ARE TOGETHER

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

"SECTION 13. RESPONSIBILITIES OF THE LOCAL GOVERNMENT UNIT-

1. ANY SOLO PARENT AS DEFINED BY THE LAW SHALL BE ENTITLED TO THE ISSUANCE OF A SOLO PARENT ID BY THE MUNICIPAL OR CITY SOCIAL WELFARE OFFICER. THE IDENTIFICATION CARD SHALL BE MADE AVAILABLE NOT MORE THAN FIFTEEN (15) DAYS AFTER FILING FOR APPLICATION.

2. ALLOCATE ONE PERCENT (1%) FROM THEIR INTERNAL REVENUE ALLOTMENT (IRA) FOR PROGRAMS/SERVICES BENEFITING SOLO PARENTS AND THEIR CHILDREN. THESE PROGRAMS AND SERVICES INCLUDE, BUT ARE NOT LIMITED TO, LIVELIHOOD SKILLS TRAINING, JOB PLACEMENT, SCHOLARSHIP PROGRAM, LOW-COST HOUSING.
3. ORGANIZE SOLO PARENTS IN THE PROVINCIAL/ CITY/ MUNICIPAL/ BARANGAY LEVEL.
4. CREATE SOLO PARENTS AFFAIRS OFFICE IN EVERY PROVINCE, CITY/MUNICIPALITY TO BE MANNED BY THE PRESIDENT, SECRETARY, AND TREASURER OF THE ORGANIZED SOLO PARENT ASSOCIATION IN THE LOCALITY. THIS OFFICE WILL ALSO SERVE AS THE HELP DESK FOR SOLO PARENTS.

"SECTION 14. PENALTY CLAUSE -

- a. ANY PERSON OR COMPANY WHO VIOLATES THE PROVISIONS OF THIS ACT BY DENYING OR HINDERING A SOLO PARENT FROM AVAILING OF ANY OF THE BENEFITS OF THIS ACT SHALL BE PENALIZED BY A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (PHP50,000.00) FOR THE FIRST VIOLATION; ONE HUNDRED THOUSAND PESOS (PHP100,000.00) FOR THE SECOND VIOLATION; AND TWO HUNDRED THOUSAND PESOS (PHP200,000.00) FOR THE THIRD VIOLATION. IN ADDITION, THE SAID BUSINESS MAY BE ORDERED CLOSED BY THE APPROPRIATE IMPLEMENTING AGENCY.
- b. ANY PERSON WHO MISREPRESENTS HIS OR HER STATUS OR FALSIFIES ANY DOCUMENT TO AVAIL OF THE BENEFITS OF THIS ACT, OR ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED, OR ANY PERSON WHO CONNIVES WITH AFOREMENTIONED VIOLATORS, SHALL BE PUNISHED WITH A FINE OF NOT LESS THAN TEN THOUSAND PESOS (Php10,000) BUT NOT MORE THAN FIFTY THOUSAND PESOS (Php50,000) AND/OR IMPRISONMENT OF NOT LESS THAN 6 MONTHS, AT THE DISCRETION OF THE COURT. IN ADDITION, HE OR SHE SHALL BE LIABLE FOR ANY TAX INJURY CAUSED TO THE GOVERNMENT RESULTING FROM WRONGFUL AVAILMENT OF TAX EXEMPTION UNDER THIS ACT.
- c. ANY LOCAL SOCIAL WELFARE DEVELOPMENT OFFICER (LSWDO) WHO SHALL DENY A QUALIFIED SOLO PARENT, THE ISSUANCE OF AN IDENTIFICATION CARD, OR ANY LSWDO WHO SHALL ABUSE THEIR AUTHORITY IN ISSUING IDENTIFICATION CARD TO NON-QUALIFIED INDIVIDUALS SHALL BE HELD ADMINISTRATIVELY LIABLE IN ACCORDANCE WITH RELEVANT CIVIL SERVICE LAWS/POLICY GUIDELINES..

"SECTION 15: WITHIN A PERIOD OF NOT MORE THAN THIRTY (30) DAYS FROM THE EFFECTIVITY OF THIS ACT, AN INTER-AGENCY COMMITTEE SHALL BE CREATED TO INCLUDE THE FOLLOWING GOVERNMENT AGENCIES WITH THEIR RESPECTIVE FUNCTIONS:

1. DEPARTMENT OF JUSTICE - PROVISION OF FREE LEGAL ASSISTANCE TO DEMAND CHILD SUPPORT
2. DEPARTMENT OF TRADE AND INDUSTRY (DTI) - PROVISION OF SMALL-SCALE LIVELIHOOD PROJECTS, BUSINESS MANAGEMENT TRAININGS
3. DEPARTMENT OF FINANCE-BUREAU OF INTERNAL REVENUE (DOF-BIR) - REDUCTION OF TAXES FOR WORKING SOLO PARENTS

4. PHILHEALTH- PROVISION OF PHILHEALTH CARD FOR ALL REGISTERED SOLO PARENTS BELOW POVERTY LINE AND NON-WORKING SOLO PARENTS
5. DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT-NATIONAL BARANGAY OPERATIONS CENTER (DILG-NBOO) - STRENGTHEN THE MECHANISMS FOR PROVIDING ASSISTANCE TO SOLO PARENTS.
 - a. GIVE MORE RESPONSIBILITIES TO THE BARANGAY, LIKE MAKING IT MANDATORY FOR THEM TO MAINTAIN AND UPDATE A DATABASE OF SOLO PARENTS WITH THE REQUIREMENT THAT THEY MAKE A QUARTERLY REPORT TO THE LOCAL DSWD ON THE SAME.
 - b. BARANGAY CLEARANCES ISSUED SHOULD COMPLY WITH THE REQUIREMENTS OF RA 8972 AND SHOULD NOT BE THE SAME AS PRE-FORMATTED BARANGAY CLEARANCES ISSUED FOR OTHER PURPOSES.
 - c. BARANGAYS SHOULD CONVENE THE SOLO PARENTS IN THEIR JURISDICTION AT LEAST 2X A YEAR. IF THE BENEFITS AND ASSISTANCE ARE AVAILABLE FROM THE BARANGAY LEVEL, THERE WOULD BE LESS STRESS AND EFFORT FOR THE SOLO PARENT TO AVAIL OF THESE.
6. PHILIPPINE STATISTICS OFFICE- TO EXPEDITE SERVICES TO SOLO PARENTS AND THEIR DEPENDENTS WHO ARE IN NEED OF PUBLIC DOCUMENTS FOR JUDICIAL AND LEGAL PURPOSES AND TO PROVIDE TIMELY DOCUMENTATION AND RESEARCH ON SOLO PARENTS.

THE INTER-AGENCY COMMITTEE SHALL COME UP WITH RULES AND REGULATIONS NECESSARY FOR THE PROPER IMPLEMENTATION OF THE AMENDMENTS TO THE ACT.

Section 6. Repealing Clause. - All laws, decrees, Executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are thereby repealed, amended or modified accordingly.

Section 7. 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 8. Effectivity Clause -This Act shall take effect fifteen (15) days following its Complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,