

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5059

Introduced by Representative **TYRONE D. AGABAS**

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

EXPLANATORY NOTE

This bill seeks to expand the coverage and benefits of solo parents in the country.

The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government (Section 12, Article II, 1987 Constitution). To this end, the State shall give support to solo parents who stand alone in the raising and rearing of their children.

At present, more and more women are now facing the challenge of raising their children independently as solo parent due to the death, criminal conviction, marital separation, or poverty of their partners. While they have embraced, voluntarily or involuntarily, the idea of being a solo parent, the thought of rearing children alone as compared to rearing children under a framework of a fully functional family is dreading. To address this gap or inequality, legislative measures must continually evolve to appropriately respond to the needs and demands of solo parents. Since its enactment in 2000, the solo parent welfare act has not undergone any amendment in regard to the grant of additional benefits to solo parents. It is but just right to introduce amendment to said law in order to protect both the solo parent and his or her children.

There being an imperative need to increase and expand the benefits given to solo parents, it is hereby requested that this bill be passed.



TYRONE D. AGABAS
Representative
6th District, Pangasinan

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

1 **Section 1.** Section 2 and 3 of Republic Act No. 8972 hereby
2 amended to read as follows:

3 “SEC. 2. *Declaration of Policy.* – It is the policy of the State to
4 promote the family as the foundation of the nation, strengthen its
5 solidarity and ensure its total development. Toward this end, it
6 shall develop a comprehensive program of services for solo
7 parents and their children to be carried out by the Department of
8 Social Welfare and Development (DSWD), the Department of
9 Health, the [Department of Education, Culture, and Sports
10 (DECS)] **DEPARTMENT OF EDUCATION (DEPED)**, the
11 Department of Interior and Local Government (DILG), the
12 Commission on Higher Education (CHED), the Technical

13 Education and Skills Development Authority (TESDA), the
14 National Housing Authority (NHA), the Department of Labor and
15 Employment (DOLE) and other related government and non-
16 government agencies.

17 SEC. 3. *Definition of Terms.* – Whenever used in this Act, the
18 following terms shall mean as follows:

19 a) “Solo Parent” – any individual who falls under any of the
20 following categories:

21 (1) A woman who gives birth as a result of rape and other
22 crimes against chastity even without a final conviction of
23 the offender: Provided, That the mother keeps [and raises]
24 the child **AND BEARS SOLO AND LONE PARENTING**
25 **RESPONSIBILITY;**

26 XXX

27 (3) Parent [left solo or alone with the] **WHO BEARS SOLE AND**
28 **LONE PARENTING** responsibility [of parenthood] while the
29 spouse is detained or is serving sentence for a criminal
30 conviction for at least [one (1) year] **SIX (6) MONTHS;**

31 XXX

32 (5) Parent [left solo or alone with the] **WHO BEARS SOLE AND**
33 **LONE PARENTING** responsibility [of parenthood] due to
34 legal separation or de facto separation from spouse for at
35 least [one (1) year] **SIX (6) MONTHS**, as long as [he/she]
36 **THE SOLO PARENT** is entrusted with the custody of
37 children;

38 XXX

(7) Parent [left solo or alone with the] **WHO BEARS SOLO AND LONE PARENTING** responsibility of parenthood due to abandonment of spouse for at least [one (1) year] **SIX MONTHS:**

xxx

(9) Any [other person] **LEGAL GUARDIAN, ADOPTIVE OR FOSTER PARENT** who solely provides parental care and support to a child or children;

xxx

(11) PARENT WHO BEARS SOLO AND LONE PARENTING
RESPONSIBILITY DUE TO DISABILITY OR INCAPACITY
OF THE OTHER SPOUSE TO BE EMPLOYED FOR AT
LEAST SIX (6) MONTHS;

xxx

(e) "Flexible work schedule" – is the right granted to a solo parent employee to vary [his/her] THE arrival and departure time IN THE OFFICE OR EMPLOYMENT without affecting the core work hours as defined by the employer."

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

*“SEC. 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 (NCSB)**, [and] subject to the assessment of the [DSWD worker] **CITY OR MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICER***

65 in the area **WHERE THE SOLO PARENT RESIDES**, shall be
66 eligible for assistance: Provided, however, That any solo parent
67 whose income is above the poverty threshold shall enjoy the
68 benefits mentioned in Sections 6, 7 and 8 of this Act.

69 SEC. 5. *Comprehensive Package of Social Development and*
70 *Welfare Services.* – A comprehensive package of social
71 development and welfare services for solo parents and their
72 families [will] **SHALL** be developed by the **[DSWD] SECRETARY**
73 **OF SOCIAL WELFARE AND DEVELOPMENT, IN**
74 **COORDINATION WITH THE DOH, [DECS] DEPED, CHED,**
75 **TESDA, DOLE, NHA, [and] DILG, DEPARTMENT OF TRADE**
76 **AND INDUSTRY (DTI), BUREAU OF INTERNAL REVENUE**
77 **(BIR), NATIONAL ECONOMIC AND DEVELOPMENT**
78 **AUTHORITY (NEDA), CIVIL SERVICE COMMISSION (CSC),**
79 **NATIONAL COUNCIL OF WOMEN OF THE PHILIPPINES**
80 **(NCWP), UNION OF LOCAL AUTHORITIES OF THE**
81 **PHILIPPINES (ULAP), [in coordination with and] local**
82 government units, and a non-governmental organization with
83 proven track record in providing services to solo parents.

XXX”

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

87 “SEC. 8. *Parental Leave.* – In addition to leave privileges under
88 existing laws, parental leave of not more than seven (7) working
89 days every year shall be granted to any solo parent employee who
90 has rendered service of at least [one (1) year] **SIX (6) MONTHS.**

91 SEC. 9. *Educational Benefits.* – The [DECS] DEPED, CHED and
92 TESDA shall provide the following benefits and privileges:

93 (1) Scholarship programs for qualified solo parents and their
94 children in institutions of basic, tertiary, and technical **OR**
95 **VOCATIONAL** skills education; and

96 XXX

97 SEC. 10. *Housing Benefits.* – Solo parents shall be given
98 allocation in housing projects and shall be provided with liberal
99 terms of payment on said government low-cost housing projects
100 in accordance with housing law provisions prioritizing applicants
101 below poverty line as declared by the [NEDA] **NSCB.**"

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

104 **SEC. 13. SOLO PARENT IDENTIFICATION CARD (SPIC).** –
105 **UPON APPLICATION AND SUBMISSION OF PROPER**
106 **DOCUMENTS, AN IDENTIFICATION CARD APPROVED BY THE**
107 **LOCAL CHIEF EXECUTIVE WHERE THE SOLO PARENT**
108 **RESIDES, SHALL BE ISSUED TO THE QUALIFIED SOLO**
109 **PARENT BY THE CITY OR MUNICIPAL SOCIAL WELFARE AND**
110 **DEVELEOPMENT OFFICER.**

111 **SEC. 14. ADDITIONAL BENEFITS.** – A SOLO PARENT SHALL
112 BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS:

113 **A) TEN PERCENT (10%) DISCOUNT ON CHILDREN'S**
114 **CLOTHING MATERIALS FOR ALL PURCHASES MADE**
115 **WITHIN TWELVE (12) YEARS FROM THE BIRTH OF THE**
116 **CHILD OF THE SOLO PARENT;**

- 117 **B) TWENTY PERCENT (20%) DISCOUNT ON BABY'S MILK,**
118 **FOOD AND FOOD SUPPLEMENTS FOR ALL PURCHASES**
119 **MADE WITHIN TWO (2) YEARS FROM THE BIRTH OF THE**
120 **CHILD OF THE SOLO PARENT;**
- 121 **C) TWENTY PERCENT (20%) DISCOUNT ON ALL PURCHASES**
122 **OF THE SOLO PARENT OF MEDICINES AND OTHER**
123 **MEDICAL SUPPLEMENTS OR SUPPLIES THAT SHALL BE**
124 **USED BY THE CHILD WHO IS BELOW EIGHTEEN (18)**
125 **YEARS OLD .**

126 TO AVAL OF THESE BENEFITS, THE SOLO PARENT
127 SHALL SUBMIT OR PRESENT THE SOLO PARENT
128 IDENTIFICATION CARD AND THE BIRTH CERTIFICATE
129 OF THE CHILD OR OTHER EVIDENCE OF ENTITLEMENT.

130 THE CORPORATION OR BUSINESS ESTABLISHMENT
131 THAT GIVES A DISCOUNT TO THE SOLO PARENT IN
132 ACCORDANCE WITH THIS SECTION SHALL BE ENTITLED
133 TO CLAIM THE DISCOUNT GIVEN AS A BUSINESS
134 EXPENSE SUBJECT TO PROPER RECORDING AND
135 DOCUMENTATION.

136 SEC. 15. INTER -AGENCY COORDINATING AND MONITORING
137 COMMITTEE. - A SPECIAL INTER-AGENCY COMMITTEE,
138 HEREINAFTER REFERRED TO AS THE COMMITTEE, SHALL
139 BE ESTABLISHED TO COORDINATE AND MONITOR THE
140 IMPLEMENTATION OF THIS ACT. THE COMMITTEE, WHICH
141 SHALL BE CONSTITUTED WITHIN NINETY (90) DAYS UPON
142 THE EFFECTIVITY OF THIS ACT, SHALL BE COMPOSED OF
143 THE FOLLOWING:

- 144 **A) SECRETARY OF SOCIAL WELFARE AND DEVELOPMENT,
145 AS CHAIRPERSON;**
- 146 **B) SECRETARY OF HEALTH OR AUTHORIZED
147 REPRESENTATIVE;**
- 148 **C) SECRETARY OF EDUCATION OR AUTHORIZED
149 REPRESENTATIVE;**
- 150 **D) SECRETARY OF LABOR AND EMPLOYMENT OR
151 AUTHORIZED REPRESENTATIVE;**
- 152 **E) SECRETARY OF INTERIOR AND LOCAL GOVERNMENT
153 OR AUTHORIZED REPRESENTATIVE;**
- 154 **F) SECRETARY OF TRADE AND INDUSTRY OR
155 AUTHORIZED REPRESENTATIVE;**
- 156 **G) COMMISSIONER OF INTERNAL REVENUE;**
- 157 **H) CHAIRPERSON OF THE COMMISSION ON HIGHER
158 EDUCATION;**
- 159 **I) CHAIRPERSON OF THE COMMISSION ON CIVIL
160 SERVICE;**
- 161 **J) CHAIRPERSON OF PHILIPPINE COMMISSION ON
162 WOMEN;**
- 163 **K) DIRECTOR GENERAL OF THE TECHNICAL EDUCATION
164 AND SKILLS DEVELOPMENT AUTHORITY;**
- 165 **L) DIRECTOR GENERAL OF THE NATIONAL HOUSING
166 AUTHORITY;**

- 167 **M) SECRETARY OF THE NATIONAL ECONOMIC AND**
168 **DEVELOPMENT AUTHORITY (NEDA);**
- 169 **N) CHAIRPERSON OF NATIONAL COMMISSION ON MUSLIM**
170 **FILIPINOS (NCMF);**
- 171 **O) NATIONAL COMMISSION ON INDIGENOUS PEOPLES**
172 **(NCIP); AND**
- 173 **P) A REPRESENTATIVE OF THE UNION OF LOCAL**
174 **AUTHORITIES OF THE PHILIPPINES, AS MEMBERS.**

175 **THE COMMITTEE SHALL SUBMIT A REGULAR REPORT**
176 **TO CONGRESS ON THE IMPLEMENTATION OF THIS ACT**
177 **EVERY THREE (3) YEARS FOLLOWING ITS EFFECTIVITY.**

178 **SEC. 16. PENALTIES. – ANY PERSON, CORPORATION, ENTITY**
179 **OR AGENCY WHO REFUSES OR FAILS TO PROVIDE THE**
180 **BENEFITS GRANTED TO THE SOLO PARENT IN VIOLATION**
181 **OF THIS ACT SHALL SUFFER THE FOLLOWING PENALTIES:**

- 182 **1) FOR THE FIRST VIOLATION – A FINE OF NOT LESS**
183 **THAN TEN THOUSAND PESOS (P10,000.00) BUT NOT**
184 **MORE THAN FIFTY THOUSAND PESOS (P50,000.00) OR**
185 **IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS**
186 **BUT NOT MORE THAN ONE (1) YEAR, OR BOTH, AT THE**
187 **DISCRETION OF THE COURT;**
- 188 **2) FOR SUBSEQUENT VIOLATIONS – A FINE OF NOT LESS**
189 **THAN ONE HUNDRED THOUSAND PESOS (P100,000.00)**
190 **BUT NOT MORE THAN TWO HUNDRED THOUSAND**
191 **PESOS (P200,000.00) OR IMPRISONMENT OF NOT LESS**

192 THA ONE (1) YEAR BUT NOT MORE THAN TWO (2)
193 YEARS, OR BOTH, AT THE DISCRETION OF THE COURT.

194 IF THE OFFENDER IS A CORPORATION,
195 PARTNERSHIP, ORGANIZATION OR ANY SIMILAR
196 ENTITY, THE EMPLOYEES AND OFFICIALS DIRECTLY
197 INVOLVED SUCH AS THE PRESIDENT, GENERAL
198 MANAGER, MANAGING PARTNER OR OTHER OFFICER
199 CHARGED WITH THE MANAGEMENT OF ITS AFFAIRS
200 SHALL BE LIABLE THEREFOR.

201 IF THE OFFENDER IS AN ALIEN, THE OFFENDER
202 SHALL BE DEPORTED IMMIDIATELY AFTER SERVICE
203 OF SENTENCE WITHOUT FURTHER DEPORTATION
204 PROCEEDINGS.

205 UPON FILING OF AN APPROPRIATE COMPLAINT,
206 AND AFTER DUE NOTICE AND HEARING, THE PROPER
207 AUTHORITIES MAY ALSO CAUSE THE CANCELLATION
208 OR REVOCATION OF THE BUSINESS PERMIT, PERMIT
209 TO OPERATE, FRANCHISE AND OTHER SIMILAR
210 PRIVILEGES GRANTED TO ANY BUSINESS ENTITY THAT
211 FAILS TO ABIDE BY THE PROVISIONS OF THIS ACT.

212 ANY PERSON WHO MISREPRESENTS STATUS OR
213 FALSIFIES ANY DOCUMENT TO AVAIL OF BENEFITS
214 PROVIDED UNDER THIS ACT OR ANY PERSON WHO
215 ABUSES THE PRIVILEGES GRANTED HEREIN SHALL BE
216 PUNISHED WITH A FINE OF NOT LESS THAN TEN
217 THOUSAND PESOS (P10,000.00) BUT NOT MORE THAN
218 FIFTY THOUSAND PESOS (P50,000.00) AND
219 IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS.

220 UPON FINDING OF THE DSWD THAT A
221 DEPARTMENT, AGENCY, OR INSTRUMENTALITY OF THE
222 GOVERNMENT, A GOVERNMENT-OWED OR CONTROLLED
223 CORPORATION (GOCC) OR A LOCAL GOVERNMENT

224 **UNIT, HAD VIOLATED ANY PROVISION OF THIS ACT,
225 SANCTIONS UNDER THE ADMINISTRATIVE LAW, CIVIL
226 SERVICE OR OTHER LAWS MAY BE RECOMMENDED TO
227 THE CSC OR THE DILG AGAINST THE HEAD OF AGENCY
228 OR THE LOCAL CHIEF EXECUTIVE AND THE PERSON
229 DIRECTLY RESPONSICBLE FOR THE VIOLATION.”**

230 **SECTION 5.** Sections 13 and 14 of the same Act are hereby
231 renumbered as Sections 17 and 18 and amended to read as follows:

232 “SEC. [13] 17. Implementing Rules and Regulation. – [An
233 interagency committee headed by] **WITHIN NINETY (90) DAYS
234 FROM APPROVAL OF THIS ACT,** the **DSWD SHALL**, in
235 **CONSULTATION AND** coordination with the **DOH, DEPED,
236 CHED, TESDA, DOLE, NHA, and DILG, DTI, BIR, NEDA, CSC,
237 NCMF, NCIP, PCW, AND ULAP** [is hereby established which shall
238 formulate, within ninety (90) days upon the effectivity of this Act,
239 the implementing rules and regulations for the effective
240 implementation of this Act in consultation with the local
241 government units, non-governmental organizations and people’s
242 organizations.], **ISSUE THE NECESSARY RULES AND
243 REGULATIONS FOR THE EFFECTIVE IMPLEMENTATION OF
244 THIS ACT.**

245 SEC. [14] 18. Appropriations. – The amount necessary to carry out
246 the provisions of this Act shall be included in the budget of the
247 concerned government agencies in the ANNUAL General
248 Appropriations Act (GAA).

249 **“GOVERNMENT AGENCIES MAY UTILIZE A PORTION OF
250 THEIR RESPECTIVE BUDGET FOR PROGRAMS AND
251 ACTIVITIES ON GENDER AND DEVELOPMENT TO IMPLEMENT
252 THIS ACT.**

253 **FOR PURPOSES OF THIS SECTION, GENDER AND
254 DEVELOPMENT REFERS TO PROCESSES UNDERTAKEN BY
255 GOVERNMENT AGENCIES TO ADDRESS GENDER ISSUES AND
256 TRANSFORM THE SOCIAL, ECONOMIC AND POLITICAL
257 STRUCTURES OF THE SOCIETY TO ACHIEVE GENDER
258 EQUALITY AND EMPHASIZE THE FUNDAMENTAL ROLE OF
259 WOMEN AS ACTIVE AGENTS OF DEVELOPMENT AND NOT
260 JUST PASSIVE RECIPIENTS OF ASSISTANCE.”**

259 **Section 6.** Section 15, 16 and 17 of the same Act, are hereby
260 renumbered as Section 19, 20 and 21, respectively.

261 **Section 7.** This Act shall take effect fifteen (15) days after its
262 complete publication in the Official Gazette or in two (2) newspapers
263 of national circulation.

264 *Approved,*