

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4769



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

One of the State's top priority is to plan and carry out a comprehensive program for the development of children and youth of our nation. The State recognizes the child as one of the most important assets of the nation.

It is the mandate of State to assist and provide material and financial support in the establishment and maintenance of a Children Center, primarily to benefit the children of the Philippines.

This House Bill seeks to create the **Clark Children Center**, to further enhance the research in pediatric diseases, training of medical and technical personnel, and specialized medical services for the prevention and treatment of children's diseases.

Thus, the early passage of this bill is earnestly requested.


MICHAEL L. ROMERO

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HOUSE BILL NO. ⁴⁷⁶⁹ ____

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AN ACT

**CREATING THE CLARK CHILDREN CENTER, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1. SHORT TITLE – This Act shall be known as the “*Clark
Children Center Act*”.

SECTION 2. CREATION OF THE CLARK CHILDREN CENTER -
There is hereby created a Children Center, for the benefit primarily of the Filipino
people under the name of *Clark Children Center*, subject to the provisions of this
Act, hereinafter referred to as the Children Center.

The Children Center shall be administered by a Board of Trustees, composed of
five (5) members, to be appointed by the President of the Philippines.

The Director of the Children Center shall be appointed by the Board of Trustees.

The four (4) appointive members of the Board of Trustees shall serve without compensation for a period of four (4) years and until their successors shall have been appointed and qualified.

Any vacancy in the Board shall be filled by appointment by the President of the Philippines, and the appointee shall serve for the unexpired term.

The Board of Trustees of the Children Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the Children Center shall serve as Vice-Chairman of the Board. The Director shall act as the chief executive officer of the Children Center, with authority, among others, to appoint, remove, and fix the compensation of the personnel thereof, subject to the approval of the Board of Trustees.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision of such four members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of the Children Center.

SECTION 3. TAX EXEMPTIONS AND PRIVILEGES - Being a non-profit, non-stock corporation organized primarily to help combat the high incidence of Children diseases in the Philippines, all donations, contributions, endowments and equipment and supplies to be imported by authorized entities or persons and by the Board of Trustees of the Children Center, for the actual use and benefit of the Children Center, shall be exempt from income and gift taxes, the same further deductible in full for the purpose of determining the maximum deductible amount under the prevailing mandates of the *National Internal Revenue Code*, as amended.

The Children Center shall be exempt from the payment of taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof with respect to equipment purchases made, or for, the Children Center.

SECTION 4. AID FROM GOVERNMENT OFFICES - The Children Center, may call upon any Ministry, Bureaus, Office, agency or instrumentality of the government, including government-owned or controlled corporations, particularly the Philippine Charity Sweepstakes Office (**PCSO**), for such assistance it may need in the pursuit of its purposes and objectives.

SECTION 5. APPROPRIATIONS - The amount Five Billion Pesos (**P5,000,000,000.00**) is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the Children Center of the year of the effectivity of this Act.

Thereafter, the amount necessary to ensure the continued operations and maintenance of the Children Center shall be duly provided for, appropriated and released from the General Appropriations Act (**GAA**), subject to the approval of the President the Republic of the Philippines.

The funds therefor shall be administered by the Board of the Children Center, in behalf of the Children Center.

SECTION 6. AUDITING - The books of accounts of the Children Center shall be under the charge and safekeeping of the *Treasurer* of the Children Center and of its *Chairman*, but such books of account shall be subject to periodic review and auditing by the Chairman of the Commission on Audit, or by his duly authorized representative.

SECTION 7. POWERS AND FUNCTIONS - For the attainment and/or furtherance of the above purposes and objectives, the Children Center as a body corporate, acting through its Board of Trustees shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

- (a) To acquire and hold in any manner property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;

- (b) To contract and be contracted with;
- (c) To mortgage, lease, sell, transfer convey or otherwise dispose of its properties;
- (d) To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
- (e) To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the Children Center;
- (f) To invite foreign pediatric specialists and similar experts in the various medical fields not available in the country; to train the personnel or trainees or residents of the Children Center;
- (g) To send the personnel of the Children center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, seminars as the Board may deem necessary to accomplish the purposes and objectives of the Children Center;
- (h) To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the Children Center; and
- (i) To do all such other acts and things as are or may be necessary or incidental for the accomplishment of the purposes and objectives of the Children Center.

SECTION 8. ANNUAL REPORT – The Children Center shall render to the President of the Philippines and the Department of Health annual reports of its activities, accomplished and recommendations.

SECTION 9. DISSOLUTION OF THE CENTER - If for any reason, the Children Center is dissolved, its assets and properties remaining at the time of dissolution, shall revert to the Philippine Government for disposition in accordance with law.

SECTION 10. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 11. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 12. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 14. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,