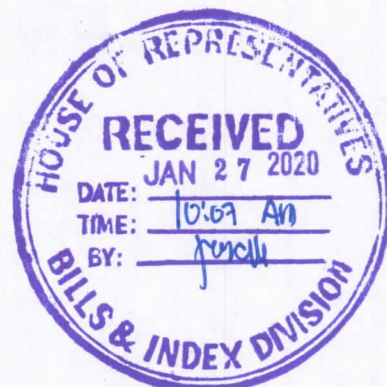


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6051



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

The enactment of Republic Act No. 8972, also known as the Solo Parent's Welfare Act, in 2000 marked a significant milestone in the government's recognition of the changing structure and organization of the Filipino family in the face of growing pressures and challenges. The law sought to promote the family as the foundation of the nation, strengthen its solidarity, and ensure its total development.

The protection and promotion of the welfare of solo parents and their children further concretizes the government's commitment to the principles enshrined in Article II Section 12 of the 1987 Constitution which provides that: "The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn child from conception. 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."

By providing a comprehensive package of social welfare services and development initiatives for solo parents and their children, the Solo Parent's Welfare Act of 2000 enabled various programs at the national and local levels aimed at easing the burden of Filipino solo parents in rearing their children towards becoming productive citizens. Under the current law, solo parents are entitled to additional parental leave, flexible work schedule, scholarship programs, housing benefits, medical assistance, counseling services, and livelihood assistance.

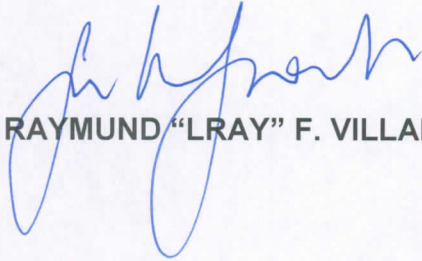
Two decades since the enactment of the Solo Parent's Welfare Act, Filipino families, particularly those led by solo parents as breadwinners and primary caregivers, face new challenges and burdens. The estimated number of Filipino solo parents in 2018 rose to 15 million, 95 percent of which are female, according to the Federation of Solo Parents Luzvimin.

In light of these, the amendment of R.A. No. 8972 is necessary in order to update the law's provisions, make it more inclusive, and infuse new or expand existing benefits that reflect the changing times and challenges faced by the Filipino

family. To further help solo parents cope with the challenges of raising their children on their own, this bill seeks to provide 15-percent discount on milk, food and food supplements, 15-percent discount on medicines and other medical supplements, 10-percent discount on clothing, 10-percent discount on tuition fees from grade school to college, and 20-percent discount on school supplies. Any person or company that denies or hinders a solo parent from availing any of the benefits shall be penalized.

This is a counterpart measure of Senate Bill No. 206 filed by Senator Christopher Lawrence "Bong" Go.

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



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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HOUSE BILL NO. 6051

Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

*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 death of 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 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 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; 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 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 of age, or even over 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:

(a) BARANGAY CERTIFICATION CERTIFYING THAT THE SOLO PARENT IS A RESIDENT OF THE BARANGAY FOR THE LAST SIX (6) MONTHS PRECEDING THE APPLICATION;

(b) BARANGAY CERTIFICATION OF CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT AS REQUIRED BY THIS ACT;

(c) 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;

(d) 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 THEREOF 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 12-1. 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 (10%) 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 (15%) 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 (15%) 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 GOVERNMENT¹⁴ 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. *Implementing Rules and Regulations.* – 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 5. *Separability Clause.* – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SECTION 6. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 7. *Effectivity Clause.* – This Act shall take effect in fifteen (15) days after publication in the Official Gazette or in one (1) newspaper of general circulation in the Philippines.

Approved,