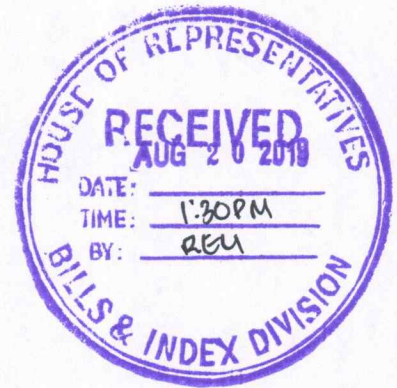


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4040



Introduced by Representative **FERDINAND L. HERNANDEZ**

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

EXPLANATORY NOTE

As mandated by the Philippine Constitution, it is a must to protect and promote the family as the foundation of the nation. There is a need to continuously assess and calibrate existing policies to adapt to the current needs of families.

Republic Act No. 8972 also known as the "Solo Parents' Welfare Act of 2000" provides benefits and privileges to solo parents and their children. This bill seeks to amend the existing law and introduce necessary adjustments and additions to the benefits given to solo parents.

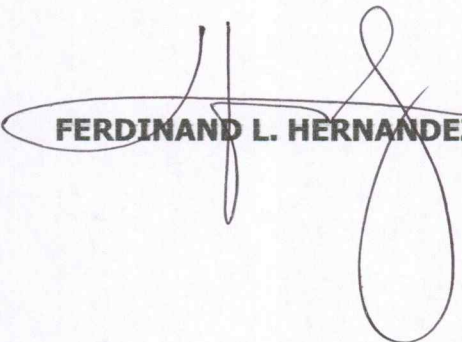
The amendments contained in this bill seeks to add several additional benefits to solo parents, such as discounts on the fundamental needs of their children namely: (1) purchase of clothing and clothing materials for the child made within a period of up to two years from the child's birth, (2) purchase of baby's milk, food and food supplements made within a period of up to two years from the child's birth, (3) purchase of medicine and other medical supplements/supplies for the child made within a period of up to five years from the child's birth, (4) purchase of school supplies for the child, for purchases made from the child's birth until twenty-one years of age, and (5) tuition fee discount from public and private schools for the child or children from grade school to college.

Solo parents will also be eligible for tax amnesty and a basic personal exemption from individual income tax amounting to 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.

The issuance of the Solo Parent Identification Card (SPIC) will also help to easily recognize solo parents and ensure that these benefits will be given to them. In the event that there is a refusal or failure in providing the benefits to solo parents, there is a specific provision imposing penalties on any person, corporation, entity or agency in violation of this act.

These proposed amendments are submitted to give assistance and steadfast support to our Solo Parents who independently and courageously provide for their children.

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



FERDINAND L. HERNANDEZ

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

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

2 "*Section 3. Definition of Terms.* - Whenever used in this Act, the following terms
3 shall mean as follows;

4 (a) "Solo parent" - any individual who falls under any of the following categories;

5 (1) A woman who gives birth as a result of rape and other crimes against
6 chastity, even without a final conviction of the offender; Provided, that the
7 mother keeps and raises the child;

8 (2) Parent left solo or alone with the responsibility of parenthood due death of
9 spouse;

10 (3) Parent left solo or alone with the responsibility of parenthood while spouse
11 is detained or is serving sentence for a criminal conviction for at least one
12 (1) year;

13 (4) Parent left solo or alone with the responsibility of parenthood due to
14 physical and/or mental incapacity of spouse as certified by a public medical
15 practitioner;

16 (5) Parent left solo or alone with the responsibility of parenthood due to legal
17 separation or *de facto* separation from spouse for at least ~~{one (1) year}~~
18 **SIX (6) MONTHS**, provided he/she is entrusted with the custody of the
19 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:

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

4 (c) BARANGAY CERTIFICATION OF CIRCUMSTANCES THAT QUALIFIES
5 THE APPLICANT AS A SOLO PARENT AS REQUIRED BY THIS ACT

6 (d) CERTIFICATION FROM THE PROPER GOVERNMENT AGENCY AS PROOF
7 OF BIRTH OF CHILD/CHILDREN, DEATH OF PARENTS OR SPOUSE AND
8 OTHER DOCUMENTARY SUPPORT TO ATTEST THE CIRCUMSTANCES
9 THAT QUALIFIES THE APPLICANT AS A SOLO PARENT;

10 (e) INCOME TAX RETURN OR ANY EQUIVALENT DOCUMENT THAT
11 ESTABLISHES THE INCOME OR FINANCIAL STATUS OF THE SOLO
12 PARENT APPLICANT

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

16 **SECTION 3.** Section 8 of the Act is likewise amended to read as follows:

17 "Section 8. Parental Leave – In addition to leave privileges under existing laws,
18 parental leave of not more than seven (7) working days **WITH PAY** every year shall
19 be granted to any solo parent employee regardless of employment status who has
20 rendered service of at least [~~one (1) year~~] **SIX (6) MONTHS.**"

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

23 **"SECTION 12-1. ADDITIONAL BENEFITS. – IN ADDITION TO THE**
24 **FOREGOING BENEFITS, SOLO PARENTS WHO HAVE BEEN QUALIFIED AS**
25 **SUCH BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT**
26 **(DSWD) SHALL LIKEWISE BE ENTITLED TO THE FOLLOWING ADDITIONAL**
27 **BENEFITS:**

28 (1) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES
29 OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD
30 MADE WITHIN A PERIOD OF UP TO TWO (2) YEARS FROM
31 THE CHILD'S BIRTH;

32 (2) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES
33 OF BABY'S MILK, FOOF AND FOOD SUPPLEMENTS MADE
34 WITHIN A PERIOD OF TWO (2) YEARS FROM THE CHILD'S
35 BIRTH;

36 (3) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES
37 OF MEDICINES AND OTHER MEDICAL
38 SUPPLEMENTS/SUPPLIES FOR THE CHILD MADE WITHIN A
39 PERIOD OF FIVE (5) YEARS FROM THE CHILD'S BIRTH;

40 (4) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES
41 OF SCHOOL SUPPLIES FOR THE CHILD, FOR PURCHASES

1 **MADE FROM THE CHILD'S BIRTH UNTIL TWENTY ONE (21)**
2 **YEARS OF AGE;**

3 **(5) TAX AMNESTY AND/ OR REDUCTION OF REAL ESTATE OR**
4 **INHERITANCE TAXES OF SOLO PARENTS;**

5 **(6) BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME**
6 **TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS**
7 **(PHP50,000) IN ADDITION TO THE EXISTING EXEMPTION**
8 **THAT THE SINGLE PARENT MAY CLAIM FOR HIS/HER**
9 **DEPENDENT CHILD OR CHILDREN; AND**

10 **(7) TEN PERCENT (10%) TUITION FEE DISCOUNT FROM**
11 **PUBLIC AND PRIVATE SCHOOLS FOR THE CHILD OR**
12 **CHILDREN FROM GRADE SCHOOL TO COLLEGE.**

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

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

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

24 (1) **FOR THE FIRST VIOLATION - A FINE OF NOT LESS THAN TEN**
25 **THOUSAND PESOS (P10,000.00) BUT NOT MORE THAN FIFTY**
26 **THOUSAND PESOS (P50,000.00) OR IMPRISONMENT OF NOT LESS**
27 **THAN SIX (6) MONTHS BUT NOT MORE THAN ONE (1) YEAR, OR**
28 **BOTH, AT THE DISCRETION OF THE COURT.**

29 (2) **FOR ANY SUBSEQUENT VIOLATION - A FINE OF NOT LESS THAN**
30 **ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT MORE**
31 **THAN TWO HUNDRED THOUSAND PESOS (P200,000.00) OR**
32 **IMPRISONMENT OF NOT LESS THAN ONE (1) YEAR BUT NOT**
33 **MORE THAN TWO (2) YEARS, OR BOTH, AT THE DISCRETION OF**
34 **THE COURT.**

35 **ANY PERSON WHO MISINTERPRETS THE STATUS OR FALSIFIES ANY**
36 **DOCUMENT TO AVAIL OF THE BENEFITS PROVIDED UNDER THIS ACT OR**
37 **ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED HEREIN SHALL BE**
38 **PUNISHED WITH A FINE NOT LESS THAN TEN THOUSAND PESOS**
39 **(P10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS**
40 **(P50,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS.**

1 IF THE OFFENDER IS A CORPORATION, PARTNERSHIP OR ORGANIZATION
2 OR ANY SIMILAR ENTITY, EMPLOYEES AND OFFICIALS THEREFORE
3 DIRECTLY INVOLVED SHALL INDIVIDUALLY BE HELD LIABLE THEREFORE.

4 IF THE VIOLATOR IS AN ALIEN OR A FOREIGNER, HE SHALL BE DEPORTED
5 IMMEDIATELY AFTER SERVICE OF SENTENCE WITHOUT FURTHER
6 DEPORTATION PROCEEDINGS.

7 UPON FILING OF AN APPROPRIATE COMPLAINT AND AFTER DUE NOTICE
8 AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE THE
9 CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT, PERMIT TO
10 OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES GRANTED TO
11 ANY BUSINESS THAT FAILS TO ABIDE BY THE PROVISION OF THIS ACT.

12 UPON FINDING OF THE INTERAGENCY COMMITTEE THAT A DEPARTMENT,
13 AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT, A GOVERNMENT-
14 OWNED OR CONTROLLED CORPORATION (GOCC) OR A LOCAL
15 GOVERNMENT UNIT HAD VIOLATED ANY PROVISION OF THIS ACT,
16 SANCTIONS UNDER THE ADMINISTRATIVE LAW, CIVIL SERVICE OR
17 OTHER LAWS MAY BE RECOMMENDED TO THE CSC OR THE DILG AGAINST
18 THE HEAD OF THE AGENCY OR THE LOCAL CHIEF EXECUTIVE AND THE
19 PERSON DIRECTLY RESPONSIBLE FOR THE VIOLATION."

20 **SECTION 6. Rules and Regulations of the Interagency Committee.** Within a
21 period of not more than sixty (60) days from the effectivity of this Act, the
22 Interagency Committee created by the Act shall come up with the rules and
23 regulations necessary for the proper implementation of the amendments to the
24 same.

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

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

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

34 Approved,