

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **1622**



Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

EXPLANATORY NOTE

Solo parents and their children are among the vulnerable sectors of our society. The care of children already has its own demanding challenges that parents are confronted with. Essentially, the difficult challenges are aggravated in the case of solo parents who have to contend with the reality of having to singlehandedly raise, care and provide for their children. While the Solo Parents Welfare Act of 2000 provides for a framework for the rights and privileges of solo parents and their children, there still are several vital issues that the law has failed to address such as access to assistance on counseling, crisis management, stress debriefing, legal services, educational benefits, housing benefits, other discount privileges and a shorter waiting period to avail of these benefits.

This bill seeks to strengthen Republic Act No. 8972, otherwise known as the Solo Parents Welfare Act of 2000 by redefining and expanding the coverage of the definition of solo parents, shortening the waiting period for entitlement to privileges and benefits, inclusion of additional discount privileges on education, clothes and medicines, food and micronutrient supplements, and requiring that certain facilities be put up in workplaces such as breastfeeding and child minding centers.

No less than the Department of Social Welfare and Development has recommended that the law be revisited and reformed to be more responsive to the needs of solo parents whose number has dramatically increased in recent years. Recognizing the deficiencies of the law, the Department has made recommendations to Congress, among them are provisions addressing the abovementioned concerns that have been included in this bill.

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


Rep. LAWRENCE LEMUEL H. FORTUN
1st District of Agusan del Norte

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Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

AN ACT
AMENDING REPUBLIC ACT NO. 8972 OTHERWISE KNOWN AS THE “SOLO
PARENTS WELFARE ACT OF 2000”, PROVIDING FOR ADDITIONAL BENEFITS
AND PRIVILEGES TO SOLO PARENTS AND THEIR CHILDREN,
APPROPRIATING FUNDS THEREFOR, PROVIDING PENAL SANCTIONS FOR
VIOLATIONS THEREOF AND FOR OTHER PURPOSES

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 are hereby amended to read as
2 follows:

3
4 **Section 2. Declaration of Policy.** - It is the policy of the State to promote the family as the
5 foundation of the nation, strengthen its solidarity and to ensure its total development. It shall
6 uphold the sanctity of the family as the basic autonomous social institution and shall protect
7 the life of the mother and the life of the unborn from conception.

8
9 Towards this end, it shall develop a comprehensive program of services for solo parents and
10 their children to be carried out by the Department of Social Welfare and Development
11 (DSWD), the Department of Health (DOH), Department of Education (DepEd), Department
12 of Interior and Local Government (DILG), the Commission of Higher Education (CHED),
13 the Technical Education and Skills Development Authority (TESDA), the National Housing
14 Authority (NHA), the Department of Labor and Employment (DOLE), Civil Service
15 Commission (CSC), Department of Trade and Industry (DTI), Bureau of Internal Revenue
16 (BIR) and other concerned government and civil society organizations.

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

20
21 (a) "Solo parent" - any individual who falls under any of the following categories:

- 22
23 (1) A female woman who gives birth as a result of rape and other crimes against persons,
24 even without a final conviction of the offender. *Provided*, that the mother keeps the
25 child and bears sole and lone parenting responsibility;

- 26
27 (2) A parent who bears sole and lone parenting responsibility:
28
29 (A) due to death of spouse;
30 (B) while the spouse is detained or is serving sentence for a criminal conviction;
31 (C) due to physical and/or mental incapacity of spouse as certified by a public
32 medical practitioner;
33 (D) due to legal separation or de facto separation from spouse for at least six (6)
34 months, and the solo parent is entrusted with the custody of the children;
35 (E) due to declaration of nullity or annulment of marriage, as decreed by a court or
36 by a church, or divorce, subject to existing laws, as long as the parent is
37 entrusted with the custody of the children;
38 (F) of parenthood due to abandonment of spouse for at least six (6) months;
39
40 (3) Unmarried parent who has preferred to keep and rear their child/children instead of
41 having others care for them or give them up to a welfare institution;
42
43 (4) Any legal guardian, adoptive or foster parent who solely provides parental care and
44 support to a child or children;
45
46 (5) Any family member who assumes the responsibility of head of family as a result of
47 the death, abandonment, disappearance or prolonged absence of the parents or solo
48 parent.
49
50 (6) A pregnant woman who bears sole and lone parenting responsibility of the child.

51
52 A change in the status or circumstance of the parent claiming benefits under this Act, such
53 that the parent is no longer left alone with the responsibility of parenthood, shall terminate
54 their eligibility for these benefits.
55

56 b) "Children" – refer to those living with and dependent upon the solo parent for support who
57 are unmarried, unemployed and not more than eighteen (18) years of age, or even over
58 eighteen (18) years but are incapable of self-support because of mental and/or physical
59 disability.
60

61 c) "Parental responsibility" – with respect to their minor children shall refer to the rights and
62 duties of the parents as defined in Article 220 of Executive Order No. 209, as amended,
63 otherwise known as the "Family Code of the Philippines."
64

65 d) "Parental leave" – shall mean leave benefits granted to a solo parent to enable him/her to
66 perform parental duties and responsibilities where physical presence is required. . .
67

68 e) "Flexible work schedule" – is a work arrangement granted to a solo parent employee to
69 vary his/her arrival and departure time in the workplace without affecting the core work
70 hours as defined by the employer.
71

72 f) Child minding center - any premises at which five (5) or more children who are under the
73 age of seven (7) years are habitually received for the purposes of care and supervision during
74 part of the day or for longer periods.
75

76 **SECTION 2.** Sections 4 and 5 of the Act are hereby amended to read as follows:
77

Section 4. Criteria for Support. – Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the Philippine Statistics Authority (PSA) and subject to the assessment of the Department Of Social Welfare And Development (DSWD) Local Social Welfare Officer in the area where the solo parent resides, shall be eligible for assistance: Provided, however, That any solo parent whose income is above the poverty threshold shall enjoy the benefits mentioned in Sections 6, 7 and 8 of this Act.

Section 5. Comprehensive Package of Social Development and Welfare Services. – A comprehensive package of social development and welfare services for solo parents and their families shall be developed by the Secretary of the DSWD in coordination with the Department of Health (DOH), Department of Education (DepEd), Commission of Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), Department of Labor and Employment (DOLE), National Housing Authority (NHA), Department of Interior and Local Government (DILG) Department of Trade and Industry (DTI), Bureau of Internal Revenue (BIR), National Economic and Development Authority (NEDA), Civil Service Commission (CSC), National Council of Women in the Philippines (NCWP), Union of Local Authorities of the Philippines (ULAP), local government units and a non-governmental organization with proven track record in providing services for solo parents.

The DSWD shall coordinate with concerned agencies in the implementation of the comprehensive package of social development and welfare services for solo parents and their families. The package will initially include:

- (a) Livelihood development services which include trainings on livelihood skills, basic business management, value orientation and the provision of seed capital or job placement.
- (b) Counseling services which include individual, peer group or family counseling. This will focus on the resolution of personal relationship and role conflicts.
- (c) Parent effectiveness services which include the provision and expansion of knowledge and skills of the solo parent on early childhood development, behavior management, health care, rights and duties of parents and children.
- (d) Critical incidence stress debriefing which includes preventive stress management strategy designed to assist solo parents in coping with crisis situations and cases of abuse.
- (e) Special projects for individuals in need of protection which include temporary shelter, counseling, legal assistance, medical care, self-concept or ego-building, crisis management and spiritual enrichment.

SEC. 3. Section 8,9 and 10 of the same Act are hereby 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 every year shall be granted to any solo parent employee who has rendered service of at least six (6) months.

Section 9. Educational Benefits. – The DepEd, CHED and TESDA shall provide the following benefits and privileges:

- (1) Scholarship and/or grants for qualified solo parents and a full scholarship for one (1) child of qualified solo parent in institutions of basic, higher and technical, vocational skills education; and
- (2) Nonformal education programs appropriate for solo parents and their children.

The DepEd, CHED and TESDA shall promulgate rules and regulations for the proper implementation of this program.

SECTION 10. *Housing Benefits.* – Solo parents shall be given allocation in housing projects and shall be provided with liberal terms of payment on said government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line as declared by the Philippine Statistics Authority (PSA).

SEC. 4. New sections to be denominated as Section 12 and 13 of the same Act are hereby added to read as follows:

“SEC. 12. *Child Minding Centers* – The Department of Labor and Employment (DOLE) and the Civil Service Commission (CSC) shall endeavor to promote the bringing of the child/children of solo parents to the workplace as the need arises and shall encourage the establishment of appropriate child minding centers in the workplace.

SEC. 13. *Breastfeeding in the workplace* - In keeping with the mandate provided under Republic Act No. 10028 or the expanded breastfeeding promotion Act, the Department of Labor and Employment and the Civil Service Commission will continue to encourage women who are breastfeeding and working mothers to practice breastfeeding in the workplace.”

SEC. 5. Sec. 12 of the same act is hereby renumbered as sec. 14.

SEC. 6. New sections to be denominated as section 15, 16, 17 and 18 of the same Act are hereby added to read as follows:

“Section 14. Solo Parent Identification Card (SPIC) – upon presentation by the solo parent applicant of the following documents:

- a) Barangay certification certifying solo parent’s residency in the barangay for the last six (6) months;
- b) Certificates (i.e. Birth certificate/s of child/children, death certificate of spouse) and other appropriate documentary support;
- c) Income tax return or any document that will establish the income level of the solo parent And after a registered social worker from the Local Social Welfare and Development office (LSWD) has assessed and determined that the solo parent applicant is eligible for a Solo Parent Identification Card (SPIC), the LSWD shall issue the SPIC within thirty (30) days from application, which shall be valid for one (1) year, subject to renewal.

To determine the actual number of solo parent beneficiaries and to identify their location so that proper interventions especially at the local level are provided to them, a national database management system to be maintained and updated by the

Philippine Statistics Authority, in cooperation with the department of the interior and local government, shall be established.

Section 15. *Additional benefits* – a solo parent shall be entitled to the following additional benefits:

- a) Ten percent (10%) discount on children's clothing materials for all purchases made within two (2) years from the birth of the child of the solo parent.
- b) Fifteen percent (15%) discount on food and micronutrient supplement for all purchases made within two (2) years from the birth of the child of the solo parent.
- c) Fifteen percent (15%) discount on all purchases of the solo parent of medicines and other medical supplements or supplies that shall be used by the child who are five (5) years old and below.

To avail of these benefits, the solo parent shall submit or present the solo parent identification card which shall indicate the name, age of the child/dependent, and the latter's date of birth.

The corporation or business establishment that gives a discount to the solo parent in accordance with this section shall be entitled to claim the discount given as a business expense subject to proper recording and documentation.

Section. 16. *Inter-agency coordinating and monitoring committee* – a special inter-agency committee, hereinafter referred to as the committee, shall be established to coordinate and monitor the implementation of this act. The committee, which shall be constituted within ninety (90) days upon the effectivity of this act, shall be composed of the following:

- A. DSWD Secretary or any authorized representative as chair;
- B. DILG Secretary or any authorized representative as co-chair
- C. DOH Secretary or any authorized representative;
- D. DepEd Secretary or any authorized representative;
- E. DOLE Secretary or any authorized representative;
- F. DTI Secretary or any authorized representative;
- G. DOJ Secretary or any authorized representative
- H. Commissioner of the BIR or any authorized representative;
- I. Chair of the CHED or any authorized representative;
- J. Chair of the CSC or any authorized representative;
- K. Chair of the NCWP or any authorized representative;
- L. Director General of the NEDA or any authorized representative;
- M. Director General of the TESDA or any authorized representative;
- N. General Manager of the NHA or any authorized representative;
- O. President of Philhealth or any authorized representative;
- P. President of the Philippine Commission on Woman (PCW) or any authorized representative;
- Q. A representative of the Union of Local Authorities of the Philippines (ULAP); and
- R. A representative of a civil society organization with proven track record in providing services to solo parents

The person authorized to represent the officials listed above must occupy/ hold the position of at least an assistant secretary level.

The committee shall submit a regular report to congress on the implementation of this act every three (3) years following its effectivity.

Section 17. Penalties – any person, corporation, entity or Agency who refuses or fails to provide the benefits granted to the solo parent 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 not less than One hundred thousand pesos (P100,000.00) but not more than Two hundred thousand pesos (P200,000.00) or imprisonment for not less than one (1) year but not more than two (2) years, or both, at the discretion of the court.

If the offender is a corporation, partnership, or organization or any similar entity, the employees and officials thereof directly involved shall be individually 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 businesses that fails to abide by the provisions of this act.

Any person who misrepresents 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 of 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.

Upon finding by the DSWD that a department, agency, or instrumentality of the government, a government-owned or controlled corporation (GOCC) or a local government unit, had violated any provision of this act, sanctions under

SECTION 7. Sections 13 and 14 of the same Act are hereby renumbered as Section 19 and 20 and amended as follows:

“Section 19. Implementing Rules and Regulations. – Within ninety (90) days from the approval of this Act, the DSWD shall, in consultation and coordination with the DOH, DepEd, CHED, TESDA, DOLE, NHA, DILG, DTI, BIR, NEDA, CSC, NCMF, NCIP, PWC and ULAP issue the necessary rules and regulations for the effective implementation of this Act.

Section 20. Appropriations. – The amount necessary to carry out the provisions of this Act shall be included in the budget of concerned government agencies in the annual General Appropriations Act (GAA)”.

Government agencies may utilize a portion of their respective budge for gender and development programs and activities to implement this Act.

For purposes of this section, gender and development refers to processes undertaken by government agencies to address gender issues and transform structures of society to achieve gender equality and emphasize the fundamental role of women as active agents of development and not just passive recipients of assistance.

SEC. 8. Sections 15, 16 and 17 of the same Act, are hereby renumbered as Section 21, 22 and 23, respectively.

Approved,