

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5045

Introduced by Pangasinan Fifth District Representative
HON. RAMON V. GUICO III

EXPLANATORY NOTE

Section 3 (2) of the 1987 Constitution provides that the State shall have the duty to protect and promote the rights of the children by providing "assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development." Towards this end, it shall develop policies and programs of services for the holistic development of a child's social, emotional, and cognitive skills.

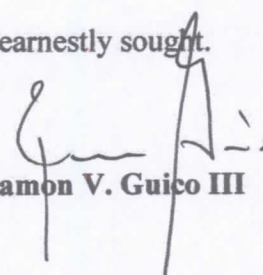
In support of this State's constitutional mandate, this bill is proposed to extend benefits and assistance to solo child of Filipino parents.

Many solo child becomes the breadwinner of their families. This means taking on the responsibility of solely providing not only his needs but as well as that of his parents. As such, they have unique psychological and emotional needs that must be addressed in order for them to faithfully deliver their duties and responsibilities. Through this bill, the solo child shall be afforded benefits and privileges that will enable them to cope up with the circumstances surrounding his personal life.

By providing incentives to families with solo child, this bill shall also contribute to the country's economic growth and shall raise standards of living. It shall equip family, in particular, the solo child with sufficient resources that will enable them to have a brighter future.

In fine, this bill shall provide and ensure a fostering environment that will enable children to reach their optimum potential.

Given the substantial benefits that this bill provides, its passage is earnestly sought.


Rep. Ramon V. Guico III

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**AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES TO SOLO CHILD,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

Section 1. Title. - This Act shall be known as the "Solo Child's Welfare Act."

Section 2. Declaration of Policy. - It is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo child to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education (DEPED), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE) and other related government and nongovernment agencies.

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

- (a) "Non-working Solo Child" - refer to those living with and dependent upon the parent/s 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 due to minority, mental disability, insanity or imbecility, or the state of being a deaf-mute.

- (b) "Working Solo Child"- refer to those working or economically active, or who is engaged either as paid or unpaid in the family business who are unmarried and more than eighteen (18) years of age and is considered as the sole breadwinner of the family.

even over eighteen (18) years but are incapable of self-support due to minority, mental disability, insanity or imbecility, or the state of being a deaf-mute.

(b) "Working Solo Child"- refer to those working or economically active, or who is engaged either as paid or unpaid in the family business who are unmarried and more than eighteen (18) years of age and is considered as the sole breadwinner of the family.

(c) "Parent/s" - any individual who exercise parental authority with respect to their unemancipated children by keeping them in their company and by providing them with their basic needs as well as by representing them in all matters affecting their interests.

(d) "Work leave" - shall mean leave benefits granted to a solo child to enable him/her to perform his/her duties and responsibilities as a sole breadwinner where physical presence is required.

(e) "Flexible work schedule" - is the right granted to a solo child employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer

Section 4. Criteria for Support. - Any solo child, subject to the assessment of the DSWD worker in the area shall be eligible for assistance: *Provided, however,* that solo parent who currently enjoy the benefits provided for in the Solo Parents' Welfare Act of 2000 shall be enjoined from receiving the benefits provided for in this Act.

Section 5. Comprehensive Package of Social Development and Welfare Services. - A comprehensive package of social development and welfare services for solo children shall be developed by the DSWD, DOH, DEPED, CHED, TESDA, DOLE, NHA and DILG, in coordination with local government units and a non-governmental organization with proven track record in providing services for children.

The DSWD shall coordinate with concerned agencies the implementation of the comprehensive package of social development and welfare services for solo child. 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) Childhood program effectiveness services which include the provision of programs that support the child's emotional, social, and cognitive development and the expansion of the child's knowledge on health care, rights and duties of children.

(d) Critical incidence stress debriefing which includes preventive stress management strategy designed to assist solo child 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.

Section 6. Flexible Work Schedule for Working Solo Child. - The employer shall provide for a flexible working schedule for the working solo child: *Provided*, That the same shall not affect individual and company productivity: *Provided, further*, That any employer may request exemption from the above requirements from the DOLE on certain meritorious grounds.

Section 7. Work Discrimination. - No employer shall discriminate against any working solo child with respect to terms and conditions of employment on account of his/her status.

Section 8. Working Solo Child Leave. - In addition to leave privileges under existing laws, solo child leave of not more than seven (7) working days every year shall be granted to any solo child employee who has rendered service of at least one (1) year.

Section 9. Tax Exemption for Working Solo Child. - Working solo child shall have basic personal exemption from individual income tax in the amount of fifty thousand pesos (Php 50,000).

Section 10. Educational Benefits. - The DEPED, CHED and TESDA shall provide the following benefits and privileges:

(1) Scholarship programs for qualified solo child in institutions of basic, tertiary and technical/skills education;

(2) Non-formal education programs appropriate for solo child; and

(3) Monthly book and dormitory allowance for solo child enrolled in both public and private primary, secondary, and tertiary school.

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

Section 11. Medical Assistance. - The DOH shall develop a comprehensive health care program for the beneficiaries of this Act. The program shall be implemented by the DOH through their retained hospitals and medical centers and the local government units (LGUs) through their provincial/district/city/municipal hospitals and rural health units (RHUs).

Section 12. Additional Powers and Functions of the DSWD. — The DSWD shall perform the following additional powers and functions relative to the welfare of solo child:

(a) Conduct research necessary to: (1) develop a new body of knowledge on solo child and their benefits to society; (2) define executive and legislative measures needed to promote and protect the interest of solo child; and (3) assess the effectiveness of programs designed for disadvantaged solo child;

(b) Coordinate the activities of various governmental and nongovernmental organizations engaged in promoting and protecting the interests of children; and

(c) Monitor the implementation of the provisions of this Act and suggest mechanisms by which such provisions are effectively implemented.

Section 13. Implementing Rules and Regulations. - An interagency committee headed by the DSWD, in coordination with the DOH, DECS, CHED, TESDA, DOLE, NHA, and DILG is hereby established which shall formulate, within ninety (90) days upon the effectivity of this Act, the implementing rules and regulations in consultation with the local government units, nongovernment organizations and people's organizations.

88 **Section 14. Appropriations.** - The amount necessary to carry out the provisions of this Act shall
89 be included in the budget of concerned government agencies in the General Appropriations Act of the
90 year following its enactment into law and thereafter.

91 **Section 15. Repealing Clause.** - All laws, decrees, executive orders, administrative orders or parts
92 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
93 accordingly.

94 **Section 16. Separability Clause.** - If any provision of this Act is held invalid or unconstitutional,
95 other provisions not affected thereby shall continue to be in full force and effect.

96 **Section 17. Effectivity Clause.** - This Act shall take effect fifteen (15) days following its complete
97 publication in the *Official Gazette* or in at least two (2) newspaper of general circulation.

98 *Approved,*