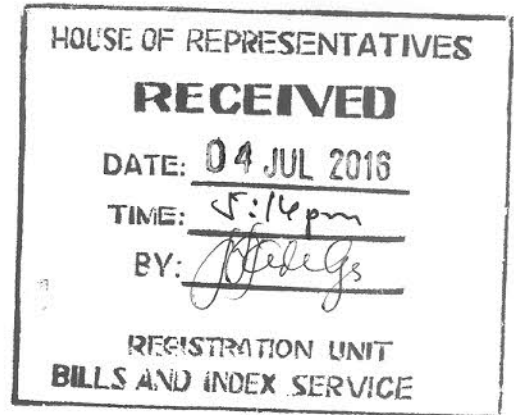


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **972**



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

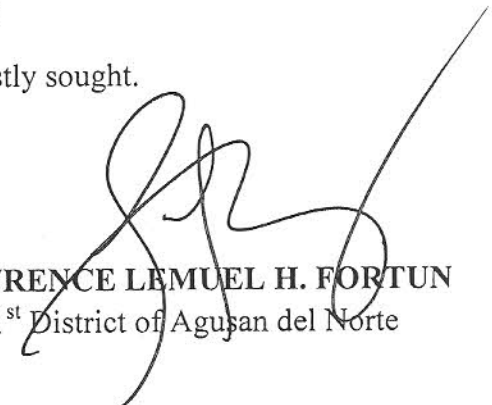
EXPLANATORY NOTE

Republic Act 8972 or the Solo Parent's Welfare Act was enacted in 2000 to provide a framework of the rights and privileges of solo parents and their children. It defined who the solo parent is, the rights of a solo parent to access additional benefits during employment, livelihood assistance, educational, health, housing and other forms of support.

This bill seeks to strengthen the provisions of RA 8972 through provisions for additional benefits, shortening of waiting period for availing of the benefits, inclusion of individuals who solely provide care to children as a foster parent, legal guardian or an adoptive parent. Moreover, this bill provides for penalties against erring employers who do not recognize the rights of a solo parent under this Act.

Solo parents and their children are part of the vulnerable sector of our society. The care of children have its own set of challenges but more so for solo parents who have to singlehandedly raise and provide for their children. Family dynamics continue to evolve and the needs of families likewise progresses. It is imperative that we pass legislation that are responsive to the growing complexities and needs of what constitutes a Filipino family.

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


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

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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SEVENTEENTH CONGRESS
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House Bill No. 972

Introduced by Rep. LAWRENCE LEMUEL H. FORTUN

AN ACT
AMENDING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE SOLO
PARENTS' WELFARE ACT OF 2010, BY 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:

1 **SECTION 1.** Section 2 and 3 of Republic Act No. 8972 are hereby amended to read as follows:
2

3 **Section 2. Declaration of Policy.** - It is the policy of the State to promote the family as the
4 foundation of the nation, strengthen its solidarity and to ensure its total development. Towards its
5 end, it shall develop a comprehensive program of services for solo parents and their children to be
6 carried out by the Department of Social Welfare and Development (DSWD), the Department of
7 Health (DOH), Department of Education (DepEd), Department of Interior and Local Government
8 (DILG), the Commission of Higher Education (CHED), the Technical Education and Skills
9 Development Authority (TESDA), the National Housing Authority (NHA), the Department of
10 Labor and Employment (DOLE), and other related government and non government agencies.
11

12 **Section 3. Definition of Terms** - Whenever used in this Act, the following terms shall mean
13 as follows:
14

15 (a) "Solo parent" - any individual who falls under any of the following categories:
16

17 (1) A woman who gives birth as a result of rape and other crimes against chastity, even
18 without a final conviction of the offender. *Provided*, that the mother keeps the child and bears sole
19 and lone parenting responsibility;
20

X X X

21 (5) Parent who bears sole and lone parenting responsibility due to legal separation or *de*
22 *facto* separation from spouse for at least six (6) months, as long as the solo parent is entrusted with
23 the custody of the children;
24

X X X

25
26 (7) Parent who bears sole and lone parenting responsibility of parenthood due to
27 abandonment of spouse for at least six (6) months;
28

X X X
29

(9) Any legal guardian, adoptive or foster parent who solely provides parental care and support to a child or children;

X X X

e) "Flexible work schedule" - is the right granted to a solo parent employee to vary his or her arrival and departure time in the office without affecting the core work hours as defined by the employer.

SECTION 2. Section 4 and 5 of the Act are hereby amended to read as follows:

Section 4. Criteria for Support. – Any solo parent whose income in the place of domicile falls below the poverty threshold as set by the National Statistics Coordination Board (NSCB) 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) and local government units and a non-governmental organization with proven track record in providing services for solo parents.

X X X

SECTION 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 programs for qualified solo parents and their children in institutions of basic, tertiary and technical or vocational skills education; and

X X X

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 NSCB.”

SECTION 4. New sections to be denominated as Section 13, 14, 25 and 16 are hereby added to read as follows:

82
83 "SECTION 13. SOLO PARENT IDENTIFICATION CARD (SPIC) – THE
84 CITY/MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE SHALL ISSUE THE
85 SOLO PARENT IDENTIFICATION CARD UPON THE PRESENTATION OF THE
86 APPLICANT OF THE FOLLOWING DOCUMENTS:
87

- 88 A. BARANGAY CERTIFICATION CERTIFYING SOLO'S PARENT'S RESIDENCY IN THE
89 BARANGAY FOR THE LAST SIX (6) MONTHS;
90 B. CERTIFICATES i.e. BIRTH CERTIFICATES OF CHILDREN, DEATH CERTIFICATE OF
91 SPOUSE AND OTHER APPROPRIATE DOCUMENTARY SUPPORT;
92 C. INCOME TAX RETURN OR ANY DOCUMENT THAT WILL ESTABLISH THE INCOME
93 LEVEL OF THE SOLO PARENT.
94

95 THE SPIC SHALL BE ISSUED WITHIN THIRTY (30) DAYS FROM APPLICATION AND
96 SHALL BE VALID FOR ONE YEAR SUBJECT TO RENEWAL.
97

98 SECTION 14. ADDITIONAL BENEFITS. - A SOLO PARENT SHALL BE ENTITLED
99 TO THE FOLLOWING ADDITIONAL BENEFITS:
100

101 a.) TEN PERCENT (10%) DISCOUNT ON CHILDREN'S CLOTHING MATERIALS
102 FOR ALL PURCHASES MADE WITHIN TWO (2) YEARS FROM THE BIRTH OF THE
103 CHILD OF THE SOLO PARENT.
104

105 b.) FIFTEEN PERCENT (15%) DISCOUNT on BABY'S MILK, FOOD AND FOOD
106 SUPPLEMENT FOR ALL PURCHASES MADE WITHIN TWO (2) YEARS FROM THE
107 BIRTH OF THE CHILD OF THE SOLO PARENT.
108

109 c.) FIFTEEN PERCENT (15%) DISCOUNT ON ALL PURCHASES OF THE SOLO
110 PARENT OF MEDICINES AND OTHER MEDICAL SUPPLEMENT OR SUPPLIES THAT
111 SHALL BE USED BY THE CHILD WHO ARE FIVE (5) YEARS OLD AND BELOW.
112

113 TO AVAIL OF THESE BENEFITS, THE SOLO PARENT SHALL SUBMIT OR
114 PRESENT THE SOLO PARENT IDENTIFICATION CARD AND THE BIRTH CERTIFICATE
115 OF THE CHILD OR OTHER EVIDENCE OF ENTITLEMENT.
116

117 THE CORPORATION OR BUSINESS ESTABLISHMENT THAT GIVES A DISCOUNT
118 TO THE SOLO PARENT IN ACCORDANCE WITH REFERRED TO AS THE COMMITTEE,
119 SHALL BE ESTABLISHED TO COORDINATE AND MONITOR THE IMPLEMENTATION
120 OF THIS ACT. THE COMMITTEE WHICH SHALL BE CONSTITUTED WITHIN NINETY
121 (90) DAYS UPON THE EFFECTIVITY OF THIS ACT SHALL BE COMPOSED OF THE
122 FOLLOWING:
123

- 124 A.) DSWD Secretary as Chair;
125 B.) DOH Secretary or any authorized representative;
126 C.) DepEd Secretary or any authorized representative;
127 D.) DOLE Secretary or any authorized representative;
128 E.) DILG Secretary or any authorized representative;
129 F.) DTI Secretary or any authorized representative;
130 G.) Commissioner of the BIR or any authorized representative;
131 H.) Chair of the CHED or any authorized representative;
132 I.) Chair of the CSC or any authorized representative;
133 J.) Chair of the NCWP or any authorized representative;
134 K.) Director General of the NEDA or any authorized representative;

L.) General Manager of the NHA or any authorized representative;
M.) A representative of the ULAP.

THE COMMITTEE SHALL SUBMIT A REGULAR REPORT TO CONGRESS ON THE IMPLEMENTATION OF THIS ACT EVERY THREE (3) YEARS FOLLOWING ITS EFFECTIVITY.

SECTION 16. 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 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. 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)N 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 5. Sections 13 and 14 of the same Act are hereby renumbered as Section 17 and 18 and amended as follows:

Section [13] 17. 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 [14] 18. 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 budget 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.

SECTION 6. Section 15, 16 and 17 of the same Act, are hereby renumbered as Section 19, 20 and 21, respectively.

SECTION 7. All laws, executive orders or issuance, or any part of thereof which are inconsistent herewith are hereby repealed or amended accordingly.

SECTION 8. If any provision of this Act shall be declared unconstitutional, the other provision not affected thereby shall continue to be in full force and effect.

SECTION 9. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,