

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
Seventeenth Congress
First Regular Session
HOUSE BILL NO. 41



Introduced by **HONORABLE ROMERO "MIRO" S. QUIMBO**

EXPLANATORY NOTE

Section 9 of Article II of the 1987 Constitution provides that "the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life for all."

It is in the realization of this constitutional provision that the PantawidPamilyang Pilipino Program (4Ps) was initiated in 2008. 4Ps is a "human development measure of the national government that provides conditional cash grants to the poorest of the poor to improve the health, nutrition and the education of children aged 0-18.¹" It aims to address the causes and effects of the intergenerational cycle of poverty by investing in the health and education of children.

As of August 2015, there are 4,353,597 active household-beneficiaries of the Pantawid Pamilyang Pilipino Program.² For the same year, high compliance rates were recorded for March and April: "99.91% for the deworming of children ages 6-14; 98.99% for school attendance of children ages 6-14; 98.33% for school attendance ages 6-14; 97.05% for school attendance of children ages 15-18; 95.95% for health visits of pregnant women and children ages 0-5; and 94.84% for attendance in family development sessions. This shows the progress that 4Ps has effected in promoting health, education and nutrition among the poor.³

With the promising impact of the program in poverty alleviation and human development, it is therefore suitable to establish the institutional mechanisms and legal framework in order to ensure that we sustain this program's achievements, curb poverty incidence, and likewise fulfill our commitment to the Millennium Development Goals (MDGs) to achieve

¹"PantawidPamilyang Pilipino Program." Gov.ph website, <<http://www.gov.ph/programs/conditional-cash-transfer/>>, accessed June 29, 2016>

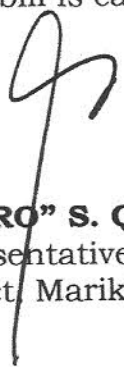
²Ibid.

³Ibid.

universal primary education, promote gender equality, reduce child mortality and improve maternal health care.

This bill seeks to institutionalize the 4Ps implemented by the Department of Social Welfare and Development by providing for processes and requirements in the selection of beneficiaries, specifying the conditions for the cash grant and modes of cash transfer, sanctions for non-compliance with conditions, exit strategy, penalties for violation and framework for implementation, among others.

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



ROMERO "MIRO" S. QUIMBO
Representative
Second District, Marikina City

Republic of the Philippines

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AN ACT

**INSTITUTIONALIZING THE PANTAWID PAMILYANG PILIPINO
PROGRAM (4PS) AND APPROPRIATING FUNDS THEREOF**

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

SECTION 1. *Title.* – This Act shall be known as the “4Ps Act of 2016.”

SECTION 2. *Declaration of Policy.* – It is the declared policy of the State to promote the development of human capital among Filipino families, especially on young children. Towards this end, interventions necessary to break the inter-generational cycle of poverty among poor households caused by low schooling and high malnutrition rate must be set in place.

SECTION 3. *Objectives.* – Pursuant to the government’s commitment to promote inclusive growth and provide social assistance and development to its citizens, this Act aims to:

- a. Improve the health care of pregnant women and young children;
- b. Increase enrolment and/or attendance of children in elementary and secondary levels;
- c. Reduce incidences of child labor;
- d. Improve maternal health;
- e. Encourage parents to invest on their own and their children’s future;
- f. Encourage parents’ participation in the growth and development of young children, as well as involvement in the community.

SECTION 4. *Definition of Terms.* – As used in this Act:

a. Conditional Cash Transfer – refers to the amount received by the qualified household-beneficiaries in fulfillment of their co-responsibilities;

1 **b. Child** – refers to persons belonging to the qualified household-beneficiary
2 below eighteen (18) years of age;

3
4 **c. Department** – refers to the Department of Social Welfare and
5 Development (DSWD) which is the lead agency in the implementation of the
6 Program;

7
8 **d. Grantee** – refers to the most responsible adult member of the qualified
9 household-beneficiary authorized to withdraw or receive the conditional
10 cash transfer;

11
12 **e. Grievance Redress System** -refers to the mechanism of the Department
13 which addresses and resolves issues and concerns related to the
14 implementation of the Program.

15
16 **f. Health Service Providers** – refer to barangay health workers, barangay
17 nutrition scholars and midwives;

18
19 **g. Indigenous Peoples** – refer to groups of people identified by self-
20 ascription and ascription of others who have incessantly lived as organized
21 community on communally bounded and defined territory, and who have
22 under claims of ownership, since time immemorial, occupied, possessed and
23 utilized such territories, sharing common bonds of language, through
24 resistance to political, social and cultural inroads of colonization, non-
25 indigenous religions and culture, became historically differentiated from the
26 majority of the Filipinos;

27
28 **h. National Household Targeting System for Poverty Reduction (NHTS-
29 PR)** – refers to a system for identifying who and where the poor households
30 are through the generation of socio-economic database of poor households
31 adopted by the national government agencies and being implemented by the
32 Department;

33
34 **i. Poor** – refers to households identified using the National Household
35 Targeting System for Poverty Reduction (NHTS-PR);

36
37 **j. Preventive Health Check Up** – refers to health services comprising of
38 complete immunization, deworming, weight monitoring and management of
39 childhood diseases;

40
41 **k. Program** – refers to the Pantawid Pamilyang Pilipino Program (4Ps) which
42 is the national poverty reduction strategy that provides conditional cash
43 transfer to poor households to improve their health, nutrition and education
44 particularly of children below eighteen (18) years of age;

45
46 **l. Qualified Household-Beneficiaries** – refer to households identified by the
47 Department for entitlement of the monthly conditional cash transfer, with
48 children aged below 18 years or who may have members who are pregnant;
49 and

1
2 **m. Responsible Person** – refers to the parent or guardian in the qualified
3 household-beneficiary.
4

5 **SECTION 5.** *Selection of Qualified Household-Beneficiaries.* – On a nation-
6 wide basis, the Department and the Health Service Providers shall select
7 qualified household-beneficiaries using the NHTS-PR. To be eligible for cash
8 grants, a household must also have members who are ages 0 to 18 years
9 old, or a member who is pregnant at the time of registration to the program.
10

11 The following geographic criteria shall also be the basis in the selection of
12 qualified household-beneficiaries:
13

14 a. Areas with high vulnerability to natural and man-made calamities, such
15 as but not limited to flooding, typhoon, tsunami, earthquake, volcanic
16 eruption and drought as declared by the local risk reduction and
17 management council and/or appropriate agencies; and
18

19 b. Areas with very high magnitude of vulnerable individuals, families or
20 households in need of special protection, such as but not limited to
21 indigenous peoples, street families, persons with disabilities and internally
22 displaced persons as declared by the regional, provincial or local
23 government units.
24

25 **SECTION 6.** *Local Verification Committee* – A Local Verification Committee
26 shall be created in every municipality or city composed of three (3) local
27 government unit representatives, an accredited health-service provider from
28 the barangay, a representative of an accredited civil society organization,
29 and the municipal superintendent of the Department of Education.
30

31 This Committee shall be tasked to ensure that the initial list of beneficiaries
32 satisfies the eligibility requirements set forth under this Act. Further, it
33 shall be tasked to ensure the household-beneficiaries' compliance with
34 conditionalities set forth in Section 7 of this Act.
35

36 **SECTION 7.** *Conditional Cash Transfer.* – Subject to certain conditions, each
37 qualified household beneficiary shall receive a conditional cash transfer
38 equivalent to Five Hundred Pesos (Php 500.00) per month for health and
39 nutrition expenses or the equivalent of Six Thousand Pesos (Php 6,000.00)
40 per qualified household-beneficiary per year, and an additional Three
41 Hundred Pesos (Php 300.00) per month per child for educational expenses
42 or the equivalent of Three Thousand Pesos (Php 3,000.00) per a 10-month
43 school year. A maximum of three (3) children per qualified household-
44 beneficiary shall be allowed.
45

46 **SECTION 8.** *Conditions for Entitlement.* All qualified household-beneficiaries
47 shall comply with the following conditions as a requirement for continued
48 program eligibility:
49

- 1 a. Pregnant women must get a pre- and post natal care and be attended by
2 a skilled or trained health care professional during childbirth;
- 3
- 4 b. At least one responsible person must attend family development sessions
5 and natural family planning sessions conducted by the Department;
- 6
- 7 c. Children ages 0 to 5 years old must receive regular preventive health
8 check-ups;
- 9
- 10 d. Children 3 to 5 years old must attend day care or pre-school classes at
11 least eighty-five percent (85%) of the time;
- 12
- 13 e. Children 6 to below 18 years old must avail of de-worming pills at least
14 twice a year;
- 15
- 16 f. Children 6 to below 18 years old must attend the elementary or high
17 school classes at least eighty-five percent (85%) of the time; and
- 18
- 19 g. Household-beneficiary shall join and complete at least two (2) recognized
20 government-sponsored livelihood training programs.

21
22 **SECTION 9.** *Mode of Cash Transfer.* – The conditional cash transfer shall be
23 released by the Department and shall be received by the grantee or any of
24 the grantee's duly authorized representative on a bi-monthly basis through
25 an authorized government depository bank duly identified by the
26 Department using different appropriate methods, such as but not limited to
27 cash card, over-the-counter, money remittance services, conduit rural
28 banks and cooperatives.

29
30 **SECTION 10.** *Non-compliance with Conditions.* – The responsible person of a
31 reported qualified household-beneficiary who fails to comply with the
32 conditions set forth in Section 7 shall at first be notified in writing. If despite
33 the notice, the qualified household-beneficiary continues with the non-
34 compliance, the benefits under this Act may be suspended.

35
36 Should the qualified household-beneficiary so notified persist in their failure
37 to comply as directed, the cash transfer shall be canceled after one year of
38 non-compliance.

39
40 **SECTION 11.** *Maximum Limit.* – Each qualified household-beneficiary shall
41 receive the conditional cash transfer for a maximum period between six (6)

1 necessary, upon recommendation by the Department, after taking into
2 account the rates of inflation and similar economic indicators.

3
4 **SECTION 13.** *Lead Agency.*—The Department shall serve as the central
5 planning, coordinating, implementing and monitoring body of the program.

6
7 In the implementation of this Act, the Department shall have the following
8 functions:

9
10 a. Select and use an appropriate, effective and cost efficient method devised
11 for the purpose of identifying and selecting qualified household-
12 beneficiaries;

13
14 b. Identify and select the target household-beneficiaries on the basis of a
15 uniform, objective and transparent selection process;

16
17 c. Conduct seminar-workshops and training programs in order to ensure
18 qualified household-beneficiary awareness of the conditions and other
19 actions pertinent to this Act;

20
21 d. Coordinate with different national and local agencies, including
22 organizations from the private sector to effect convergence towards the full
23 implementation of statutory commitments herein;

24
25 e. Set up monitoring and evaluation systems and methodologies on
26 compliance of conditions, implementation of operations and output impact
27 assessments. It shall also coordinate with the Local Verification Committee
28 at the national, regional and municipal levels to verify compliance once a
29 month using the monitoring and evaluation systems designed for the
30 purpose;

31
32 f. Coordinate with the Advisory Council to recommend to the President
33 measures and policies for the responsive implementation of the
34 commitments under this Act;

35
36 g. Coordinate with different national and local agencies to maintain and
37 update objective poverty maps which will be checked and cross-checked
38 periodically for duplications and inaccurate or erroneous information;

39
40 h. Formulate implementing rules and guidelines for the enforcement of this
41 Act;

42
43 i. Submit an annual report to the Joint Congressional Oversight Committee,
44 including, but not limited to all aspects of its operations, financial status
45 and other relevant data; and

46
47 j. Perform other functions as may be necessary or incidental to the proper
48 enforcement of the statutory commitments under this Act.
49

1 **SECTION 14.***Grievance Committee.* – A Grievance Committee shall likewise
2 be created at the municipal, regional and national levels, headed by the
3 Department and may be composed of the municipal superintendent of the
4 Department of Education, three representatives of the local government unit
5 concerned, an accredited health service provider from the barangay, and a
6 representative of an accredited civil society organization, as members.

7
8 The Grievance Committee is principally tasked to accept complaints and
9 grievances that may arise within their respective territorial jurisdictions,
10 conduct investigation in specific cases and dispose cases filed in connection
11 thereto.

12
13 **SECTION 15.***Advisory Council.*—An Advisory Council shall be created at the
14 municipal, regional and national levels to be headed by the National Anti-
15 Poverty Commission and may be composed of representatives from the
16 Department of Social Welfare and Development, Department of Health,
17 Philippine Health Insurance Corporation, Department of Interior and Local
18 Government, Department of Trade and Industry, Technical Education and
19 Skills Development Authority, Department of Labor and Employment, the
20 local government unit concerned, and accredited NGOs, as members.

21
22 The Advisory Council is principally tasked to make policy recommendations
23 towards the improvement of the program.

24
25 **SECTION 16.***Joint Congressional Oversight Committee.* – Upon the effectivity
26 of this Act, a congressional oversight committee, hereafter referred to as the
27 4Ps Committee, is hereby constituted. The 4Ps Committee shall be
28 composed of fourteen (14) members with the chairmen of the Committee on
29 Poverty Alleviation of the House of Representatives, and of the Committee on
30 Social Justice, Welfare and Rural Development of the Senate and six (6)
31 additional members from each House, to be designated by the Speaker of
32 the House of Representatives, and the Senate President, respectively.

33
34 This Committee is principally tasked to set the guidelines and overall
35 framework to monitor and ensure the proper implementation of this Act. It
36 will likewise determine inherent weaknesses in the law and recommend
37 necessary remedial legislation or executive measures.

38
39 **SECTION 17.***Annual Appropriations.*—The Secretary of Social Welfare and
40 Development shall include in the Department's program the implementation

1 grant of the money to persons other than the qualified household-
2 beneficiaries, shall be penalized with imprisonment of not less than one (1)
3 month but not more than six (6) months, or a fine of not less than Ten
4 Thousand Pesos (Php 10,000.00) but not more than Twenty Thousand Pesos
5 (Php 20,000.00) or both imprisonment and fine at the discretion of the
6 court.

7
8 Administrative sanctions shall be without prejudice to prosecution in the
9 proper courts.

10
11 **SECTION 19.** *Implementing Rules and Regulations.* – The lead implementing
12 agency, DSWD, in consultation with the Department of Health, Department
13 of Education, and the Department of Interior and Local Government shall,
14 within ninety (90) days from the effectivity of this Act, formulate and
15 promulgate the rules and regulations which shall guide the program's
16 implementation and carry out the provisions of this Act.

17
18 **SECTION 20.** *Separability Clause.* – If any provision or part of this Act is
19 held unconstitutional or invalid, the remaining arts or provisions not
20 affected shall remain in full force and effect.

21
22 **SECTION 21.** *Repealing Clause.* – Any law, presidential decree or issuance,
23 executive order, letter of instruction, administrative order, rule or regulation
24 contrary to or inconsistent with, the provisions of this Act is hereby
25 repealed, modified or amended accordingly.

26
27 **SECTION 22.** *Effectivity.* – This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in at least two (2) newspapers of
29 general circulation.

30
31
32 Approved,