

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 388

HOUSE OF REPRESENTATIVES

RECEIVED

DATE: 30 JUN 2016

TIME: 6:13 PM

BY: [Signature]

REGISTRATION UNIT
BILLS AND INDEX SERVICE

Introduced by Representative Rosenda Ann Ocampo

EXPLANATORY NOTE

Parenting is not an easy task. It entails dedication, sacrifice and commitment. This responsibility becomes much more difficult and challenging when it is shouldered alone by a person who become such either by choice or by circumstances that are beyond control.

According to the latest government statistics, solo parents now constitute around 15% of the population or equivalent to 14 million Filipinos. This staggering number of Filipinos bearing the burden of raising their own children by themselves have to work twice harder in order to support and sustain the needs of their children.

The continued increase in the number of solo parents has led to the passage of RA 8972 or the Solo Parents Welfare Act of 2000. The law provided non-monetary benefits that give some respite to the solo parents' predicament of playing multiple roles all at once just to ensure that their children grow up to become responsible and productive citizens someday. However, additional benefits are still needed to help solo parents in their struggle for better life. They are likewise entitled to discounts given to other marginalized sectors like the seniors and the PWDs.

This bill thus aims to strengthen Republic Act 8972 by granting additional benefits to qualified solo parents which will include discounts, housing, comprehensive package of social benefits, flexible work schedule, parental leave, educational benefits, scholarships and reducing the waiting period from one (1) year to six (6) months for which a person can be qualified as a solo parent. Penalties are imposed to ensure its effective implementation.

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


ROSENDA ANN OCAMPO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 388

Introduced by Representative Rosenda Ann Ocampo

AN ACT
GRANTING ADDITIONAL BENEFITS TO SOLO PARENTS AMENDING FOR THE
PURPOSE REPUBLIC ACT 8972, OTHERWISE KNOWN AS THE “SOLO PARENTS
WELFARE ACT OF 2000”

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

SECTION 1. Sections 2 and 3 of Republic Act No. 8972 are hereby amended as follows:

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 to ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), Department of Education (DepEd), Department of 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 non government agencies.

SECTION 3. *Definition of Terms* – Whenever used in this Act, the following terms shall mean as follows:

a.) “Solo Parent - any individual who falls under any of the following categories:

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

XXX

- (3) Parent who bears sole and lone parenting responsibility while the spouse is detained or is serving sentence for a criminal conviction for at least six (6) months;

XXX

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

XXX

- (7) Parent who bears sole and lone parenting responsibility of parenthood due to abandonment of spouse for at least (6) months;

XXX

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

XXX

(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. Sections 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 on Higher Education (CHED), Technical Education and Skills Development Administration (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 non-government organizations with proven track record in providing services for solo parents."

XXX

SECTION 3. Sections 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

XXX

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 Sections 13, 14, 15 and 16 are hereby added to read as follows:

“SECTION 13. *SOLO PARENT IDENTIFICATION CARD (SPIC)* – UPON QUALIFICATION AND SUBMISSION OF PROPER DOCUMENTS, AN IDENTIFICATION CARD APPROVED BY THE LOCAL CHIEF EXECUTIVE WHERE THE SOLO PARENT BY THE CITY OR MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICER.

SECTION 14. *ADDITIONAL BENEFITS* – A SOLO PARENT SHALL BE ENTITLED TO THE FOLLOWING BENEFITS:

- a.) TEN PERCENT (10%) DISCOUNT ON CHILDREN’S CLOTHING MATERIALS FOR ALL PURCHASES MADE WITHIN TWO (2) YEARS FROM BIRTH OF THE CHILD OF THE SOLO PARENT.
- b.) FIFTEEN PERCENT (15%) DISCOUNT ON BABY’S MILK, FOOD AND FOOD SUPPLEMENT FOR ALL PURCHASES MADE WITHIN TWO (2) YEARS FROM 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 SUPPLEMENT 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 AND THE BIRTH CERTIFICATE OF THE CHILD OR OTHER EVIDENCE ENTITLEMENT.

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 15. *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 as Chair;
- b.) DOH Secretary or any authorized representative;
- c.) DepEd Secretary or any authorized representative;
- d.) DOLE Secretary or any authorized representative;
- e.) DILG Secretary or any authorized representative;
- f.) DTI Secretary or any authorized representative;
- g.) Commissioner of the BIR or any authorized representative;
- h.) Chair of the CHED or any authorized representative;
- i.) Chair of the CSC or any authorized representative;
- j.) Chair of the NCWP or any authorized representative;
- 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 (1) YEAR, OR BOTH, AT THE DISCRETION OF THE COURT.

- 2.) FOR 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 OF 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 DIRECTLY INVOLVED SUCH AS THE PRESIDENT, GENERAL MANAGER, MANAGING PARTNER OR OTHER OFFICER CHARGED WITH THE MANAGEMENT OF ITS AFFAIRS SHALL BE LIABLE THEREFOR.

IF THE OFFENDER IS AN ALIEN, THE OFFENDER 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 BUSINESS ENTITY THAT FAILS TO ABIDE BY THE PROVISION OF THIS ACT.

ANY PERSON WHO MISREPRESENTS STATUS OR FALSIFIES 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, HAS 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, and DILG, DTI, BIR, NEDA, CSC, NCMF, NCIP, PCW, and ULAP, issue the necessary rules and regulations for the effective implementation of this Act.

SECTION [14] 18. *Appropriations* – The amount necessary for the implementation of this Act shall be charged to the appropriations for the concerned government agencies under the current General Appropriations Act. Thereafter, such amount as may be necessary for the continued implementation of this Act shall be included in the budget of the concerned agencies under the annual General Appropriations Act.

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

SECTION 7. All laws, decrees, executive orders or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed accordingly.

SECTION 8. If any provision of this Act shall be declared unconstitutional, the other provisions 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,