

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

EIGHTEENTH CONGRESS
1st Regular Session

House Bill No. 4242



Introduced by Hon. Francis Gerald Aguinaldo Abaya

EXPLANATORY NOTE

In a study conducted in March 2007 by the Department of Health and the University of the Philippines – National Institute of Health (UP-NIH), there were about fourteen (14) million solo parents in the country. Inferring from the said study, the Federation of Solo Parents Luzvimin (FSPL) made an estimate that the current number of solo parents is around 15 million, ninety-five percent (95%) of which are women.

When Republic Act No. 8972 or the Solo Parents Welfare Act was enacted in 2000, it sought to provide non-monetary benefits to solo parents, in the form of leaves and assistance. After nineteen (19) years from its enactment, it is necessary to amend the law considering the plight of single parents who are in need of monetary benefits. Solo parents are also entitled to discounts normally given to other marginalized sectors of our society like the senior citizens and persons with disabilities (PWDs) because like them, solo parents experience economic and financial difficulties. Further, there is also a need to include provisions that recognize male-headed households in order for them to have the same benefits as female-headed households.

This bill aims to strengthen Republic Act No. 8972 by granting additional benefits to qualified solo parents. Another significant proposal embodied in this bill is the reduction of the waiting period from one (1) to six (6) months for which a person can be qualified as a solo parent. It is likewise the intent of this bill to ensure its effective implementation by imposing penalties to those individuals or institutions who fail to enforce its provisions, particularly business establishments who refuse to grant the proposed discounts. On the other hand, for those who intend to abuse the grant of benefits, there is also a corresponding penalty provided in the proposed bill.

For the foregoing reasons, the approval of this bill is earnestly sought.


FRANCIS GERALD AGUINALDO ABAYA
Representative, First District Cavite

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

4
5 XXX

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

9
10 XXX

11
12 (7) Parent who bears sole and lone parenting responsibility of
13 parenthood due to abandonment of spouse for at least six (6) months;

14
15 XXX

16
17 (9) Any legal guardian, adoptive or foster parent who solely provides
18 parental care and support to a child or children;

19
20 XXX

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

24
25 **SECTION 2.** Sections 4 and 5 of the Act are hereby amended to read as follows:

26
27 **Section 4. Criteria for Support** – Any solo parent whose income in the
28 place of domicile falls below the poverty threshold as set by the National
29 Statistic Coordination Board (NSCB) and subject to the assessment of the
30 Department of Social Welfare and Development (DSWD) local social welfare
31 officer in the area where the solo parent whose income is above the poverty
32 threshold shall enjoy the benefits mentioned in sections 6, 7 and 8 of this Act.

33
34 **Section 5. Comprehensive Package of Social Development and**
35 **Welfare Services** – A comprehensive package of social development and
36 welfare services for solo parents and their families shall be developed by the
37 Secretary of the DSWD in coordination with the Department of Health (DOH),
38 Department of Education (DepEd), Commission of Higher Education (CHED),
39 Technical Education and Skills Development Authority (TESDA), Department
40 of Labor and Employment (DOLE), National Housing Authority (NHA),
41 Department of Interior and Local Government (DILG), Department of Trade and
42 Industry (DTI), Bureau of Internal Revenue (BIR), National Economic and
43 Development Authority (NEDA), Civil Service Commission (CSC), National
44 Council of Women in the Philippines (NCWP), Union of Local Authorities of the

Philippines (ULAP) and local government units and non-governmental organization with proven track record in providing services for solo parents.

XXX

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 – 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 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:

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 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 BABY'S MILK, FOOD AND FOOD SUPPLEMENT FOR ALL PURCHASES MADE WITHIN TWO (2) YEARS FROM THE BIRTH OF THE CHILD OF THE SOLO PARENT.

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

6 TO AVAIL OF THESE BENEFITS, THE SOLO PARENT SHALL
7 SUBMIT OR PRESENT THE SOLO PARENT IDENTIFICATION CARD AND
8 THE BIRTH CERTIFICATE OF THE CHILD OR OTHER EVIDENCE OF
9 ENTITLEMENT.
10

11 THE CORPORATION OR BUSINESS ESTABLISHMENT THAT GIVES
12 A DISCOUNT TO THE SOLO PARENT IN ACCORDANCE WITH THIS
13 SECTION SHALL BE ENTITLED TO CLAIM THE DISCOUNT GIVEN AS A
14 BUSINESS EXPENSE SUBJECT TO PROPER RECORDING AND
15 DOCUMENTATION.
16

17 **Section 15. Inter-agency Coordinating and Monitoring Committee –**
18 A SPECIAL INTER-AGENCY COMMITTEE, HEREINAFTER REFERRED TO
19 AS THE COMMITTEE, SHALL BE ESTABLISHED TO COORDINATE AND
20 MONITOR THE IMPLEMENTATION OF THIS ACT. THE COMMITTEE WHICH
21 SHALL BE CONSTITUTED WITHIN NINETY (90) DAYS UPON THE
22 EFFECTIVITY OF THIS ACT SHALL BE COMPOSED OF THE FOLLOWING:
23

- 24 A.) DSWD Secretary as Chair;
25 B.) DOH Secretary or any authorized representative;
26 C.) DepEd Secretary or any authorized representative;
27 D.) DOLE Secretary or any authorized representative;
28 E.) DILG Secretary or any authorized representative;
29 F.) DTI Secretary or any authorized representative;
30 G.) Commissioner of the BIR or any authorized representative;
31 H.) Chair of the CHED or any authorized representative;
32 I.) Chair of the CSC or any authorized representative;
33 J.) Chair of the NCWP or any authorized representative;
34 K.) Director General of the NEDA or any authorized representative;
35 L.) General Manager of the NHA or any authorized representative;
36 M.) A representative of the ULAP.
37

38 THE COMMITTEE SHALL SUBMIT A REGULAR REPORT TO
39 CONGRESS ON THE IMPLEMENTATION OF THIS ACT EVERY THREE (3)
40 YEARS FOLLOWING ITS EFFECTIVITY.
41

42 **Section 16. Penalties –** ANY PERSON, CORPORATION, ENTITY, OR
43 AGENCY WHO REFUSES OR FAILS TO PROVIDE THE BENEFITS

1 GRANTED TO THE SOLO PARENT IN VIOLATION OF THIS ACT SHALL
2 SUFFER THE FOLLOWING PENALTIES:

- 3
- 4 1) FOR THE FIRST VIOLATION - A FINE OF NOT LESS THAN TEN
5 THOUSAND PESOS (P10,000.00) BUT NOT MORE THAN FIFTY
6 THOUSAND PESOS (P50,000.00) OR IMPRISONMENT OF NOT
7 LESS THAN SIX (6) MONTHS BUT NOT MORE THAN ONE (1)
8 YEAR, OR BOTH, AT THE DISCRETION OF THE COURT.
9
- 10 2) FOR SUBSEQUENT VIOLATION - A FINE NOT LESS THAN ONE
11 HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT MORE
12 THAN TWO HUNDRED THOUSAND PESOS (P200,000.00) OR
13 IMPRISONMENT OF NOT LESS THAN TWO (2) YEARS, OR
14 BOTH, AT THE DISCRETION OF THE COURT.
15

16 IF THE OFFENDER IS A CORPORATION, PARTNERSHIP, OR
17 ORGANIZATION OR ANY SIMILAR ENTITY, THE EMPLOYEES AND
18 OFFICIAL DIRECTLY INVOLVED SUCH AS THE PRESIDENT, GENERAL
19 MANAGER, MANAGING PARTNER OR OTHER OFFICER CHARGED WITH
20 THE MANAGEMENT OF ITS AFFAIRS SHALL BE LIABLE THEREOF.
21

22 IF THE OFFENDED IS AN ALIEN, THE OFFENDER SHALL BE
23 DEPORTED IMMEDIATELY AFTER SERVICE OF SENTENCE WITHOUT
24 FURTHER DEPORTATION PROCEEDINGS.
25

26 UPON FILING OF AN APPROPRIATE COMPLAINT AND AFTER DUE
27 NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE
28 THE CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT,
29 PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES
30 GRANTED TO ANY BUSINESS ENTITY THAT FAILS TO ABIDE BY THE
31 PROVISION OF THIS ACT.
32

33 ANY PERSON WHO MISREPRESENTS STATUS OR FALSIFIES ANY
34 DOCUMENT TO AVAIL OF THE BENEFITS PROVIDED UNDER THIS ACT
35 OR ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED HEREIN
36 SHALL BE PUNISHED WITH A FINE OF NOT LESS THAN TEN THOUSAND
37 PESOS (P10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS
38 (P50,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS,
39

40 UPON FINDING BY THE DSWD THAT A DEPARTMENT AGENCY, OR
41 INSTRUMENTALITY OF THE GOVERNMENT, A GOVERNMENT-OWNED
42 OR CONTROLLED CORPORATION (GOCC) OR A LOCAL GOVERNMENT
43 UNIT, HAD VIOLATED ANY PROVISION OF THIS ACT, SANCTIONS UNDER
44 THE ADMINISTRATIVE LAW, CIVIL SERVICE OR OTHER LAWS MAY BE

1 RECOMMENDED TO THE CSC OR THE DILG AGAINST THE HEAD OF THE
2 AGENCY OR THE LOCAL CHIEF EXECUTIVE AND THE PERSON
3 DIRECTLY RESPONSIBLE FOR THE VIOLATION.”
4

5 **SECTION 5.** Section 13 and 14 of the same Act are hereby renumbered as
6 Section 17 and 18 amended as follows:
7

8 **SECTION [13] 17. *Implementation Rules and Regulations*** – Within
9 ninety (90) days from the approval of this Act, the DSWD shall, in consultation
10 and coordination with the DOH, DepEd, DHED, TESDA, DOLE, NHA, and
11 DILG, DTI, BIR, NEDA, CSC, NCMF, NCIP, PCQ, and ULAP issue the
12 necessary rules and regulations for the effective implementation of this Act.
13

14 **SECTION [14] 18. *Appropriations*** – The amount necessary to carry out
15 the provision of this Act shall be included in the budget of the concerned
16 government agencies in the ANNUAL General Appropriations Act (GAA).
17

18 Government agencies may utilize a portion of their respective budget for
19 gender and development programs and activities to implement this Act.
20

21 For purposes of this section, gender and development refers to
22 processes undertaken by government agencies to address gender issues and
23 transform structures of society to achieve gender equality and emphasize the
24 fundamental role of women as active agents of development and not just
25 passive recipients of assistance.
26

27 **SECTION 6.** Sections 15, 16, and 17 of the same Act, are hereby renumbered
28 as Sections 19, 20, and 21, respectively.
29

30 **SECTION 7. *Repealing Clause.*** – Any law, presidential decree or issuance,
31 executive order, letter of instruction, administrative order, rule or regulation contrary to
32 or inconsistent with the provisions of Republic Act No. 8292, as amended by this Act
33 is hereby repealed, amended or modified accordingly
34

35 **SECTION 8. *Separability Clause.*** – If any provision of this Act shall be
36 declared unconstitutional, the other provisions not affected thereby shall continue to
37 be in full force and effect.
38

39 **SECTION 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days
40 after its complete publication in the Official Gazette or in a newspaper of general
41 circulation.
42

43 Approved,