

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Sixteenth Congress
First Regular Session

HOUSE BILL NO. **2914**



Introduced by Representatives EMMI A. DE JESUS, LUZVIMINDA C. ILAGAN,
FERNANDO L. HICAP, NERI J. COLMENARES, CARLOS ISAGANI T. ZARATE,
JAMES MARK TERRY L. RIDON, and ANTONIO L. TINIO

EXPLANATORY NOTE

WHEREAS, Republic Act No 8972 or the Solo Parents' Welfare Act of 2000, by providing benefits for solo parents, recognizes that solo parents singly bear parental burden and, as such, they have special needs that must be addressed by the state;

WHEREAS, the solo parents and their children have various needs that vary from psychological and emotional to financial;

WHEREAS, while the Solo Parents Welfare Acts aims to address the general welfare of the solo parents and their children, it failed to address the solo parents financial needs especially in light of increasing prices under steady wages;

WHEREAS, there is a pressing need for the state to be more involved in aiding the solo parents in the rearing of their children,


WHEREAS, most pressing is the need for the state to help enable the solo parents provide their children affordable and quality food, clothing and medicines;

WHEREAS, this bill, while expanding the benefits to deserving solo parents, also strengthens the safeguards against abuses;

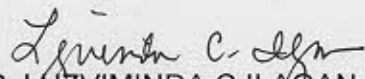
WHEREAS, the bill recognizes the markedly different circumstances between solo parents of affluent background and those who are economically hard up;

IN VIEW OF THE FOREGOING, there is a need to amend the existing Solo Parents Welfare Act in order to address this need by way of providing for additional benefits to the solo parents as well as penalize those who violate the provisions of the Act.

IT IS IN THIS REGARD THAT the passage of this bill is most urgently sought for.


REP. EMMI A. DE JESUS

Gabriela Women's Party


REP. LUZVIMINDA C. ILAGAN


Gabriela Women's Party



NERI J. COLMENARES
ZARATE

Bayan Muna Partylist

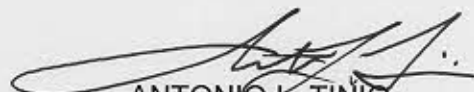

JAMES MARK TERRY L. RIDON

Kabataan Partylist


FERNANDO L. HICAP
Anakpawis Partylist


CARLOS ISAGANI T.

Bayan Muna Partylist


ANTONIO L. TINIO

ACT Teachers Partylist

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AN ACT AMENDING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE
SOLO PARENTS' WELFARE ACT OF 2000, 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 Philippine
Congress assembled:*

Section 1. Section 3 of the Act is hereby amended to read as follows: "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 and raises the child;
 - (2) Parent left solo or alone with the responsibility of parenthood due to
death of spouse;
 - (3) Parent left solo or alone with the responsibility of parenthood while the
spouse is detained or is serving sentence for a criminal conviction for
at least one (1) year;
 - (4) Parent left solo or alone with the responsibility of parenthood due to
physical and/or mental incapacity of spouse as certified by a public
medical practitioner;
 - 5Parent left solo or alone with the responsibility of parenthood due to legal
separation or *de facto* separation from spouse for at least one (1) year, as
long as he/she is entrusted with the custody of the children;
 - (6) Parent left solo or alone with the responsibility of parenthood due to
declaration of nullity or annulment of marriage as decreed by a court or

by a church as long as he/she is entrusted with the custody of the children;

(7) Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;

(9) Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution;

(10) Any other person who solely provides parental care and support to a child or children;

(11) Any family member who assumes the responsibility head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent.

A change in the status or circumstance of the parent claiming benefits under this Act such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for these benefits.

- (b) "Children" - refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and not more than eighteen (18) years of age, or even eighteen (18) years but are Incapable of self-support because of mental and/or physical defect/disability.
- (c) "Parental responsibility" - with respect to their minor children shall refer to the rights and duties of the parents as defined in article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines;"
- (d) "Parental leave" - shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required;
- (e) "Flexible work schedule" - is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer.

Section 2. Section 8 of the Act is likewise 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 WITH PAY every year shall be granted to any solo parent employee who has rendered service of at least [one (1) year] SIX (6) MONTHS.

Section 3. There shall be created an additional section and inserted as Section 12 of the Act to read as follows:

"SECTION 12. *ADDITIONAL BENEFITS.* - IN ADDITION TO THE FOREGOING BENEFITS, SOLO PARENTS WHOSE ANNUAL INCOME IS P250,000 AND BELOW AND WHO HAVE BEEN QUALIFIED AS SUCH BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHALL LIKEWISE BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS:

- (1) TEN PERCENT (10%) DISCOUNT FROM ALL PURCHASES OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD FOR PURCHASES MADE WITHIN A PERIOD OF UP TO FIVE (5) YEARS FROM THE CHILD'S BIRTH;
- (2) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF BABY'S MILK, FOOD AND FOOD SUPPLEMENTS FOR PURCHASES MADE WITHIN A PERIOD OF THREE (3) YEARS FROM THE CHILD'S BIRTH;
- (3) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF MEDICINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE CHILD FOR PURCHASES MADE WITHIN A PERIOD OF FIVE (5) YEARS FROM THE CHILD'S BIRTH; AND
- (4) TWELVE PERCENT (12%) DISCOUNT FROM ALL PURCHASES OF BASIC NECESSITIES;
- (5) SCHOOL SUPPLIES

COMPANIES OR BUSINESSES FROM WHOM DISCOUNTED PURCHASES IN THE IMMEDIATELY FOREGOING SECTION ARE MADE SHALL BE ENTITLED TO CLAIM THE SAID DISCOUNTS AS PART OF THEIR BUSINESS EXPENSE, PROVIDED THAT, THEY MAINTAIN DETAILED AND SEPARATE RECORDS OF THE SAID PURCHASES."

Section 4. There shall also be created and additional section and inserted as Section 13 to read as follows:

"SECTION 13. ANY PERSON OR COMPANY WHO VIOLATES THE PROVISIONS OF THIS ACT BY DENYING OR HINDERING A SOLO PARENT FROM AVAILING OF ANY OF THE BENEFITS OF THIS ACT SHALL BE PENALIZED BY A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (PHP50,000.00) FOR THE FIRST VIOLATION; ONE HUNDRED THOUSAND PESOS (PHP100,000.00) FOR THE SECOND VIOLATION; AND TWO HUNDRED THOUSAND PESOS (PHP200,000.00) FOR THE THIRD VIOLATION. IN ADDITION, THE SAID BUSINESS MAY BE ORDERED CLOSED BY THE APPROPRIATE IMPLEMENTING AGENCY.

ANY PERSON WHO MISREPRESENTS HIS OR HER STATUS OR FALSIFIES ANY DOCUMENT TO AVAIL OF THE BENEFITS OF THIS ACT, OR ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED, OR ANY PERSON

WHO CONNIVES WITH AFOREMENTIONED VIOLATORS, SHALL BE PUNISHED WITH A FINE OF NOT LESS THAN TEN THOUSAND PESOS (PhP10,000) BUT NOT MORE THAN FIFTY THOUSAND PESOS (PhP50,000) AND/OR IMPRISONMENT OF NOT LESS THAN 6 MONTHS, AT THE DISCRETION OF THE COURT. IN ADDITION, HE OR SHE SHALL BE LIABLE FOR ANY TAX INJURY CAUSED TO THE GOVERNMENT RESULTING FROM WRONGFUL AVAILMENT OF TAX EXEMPTION UNDER THIS ACT.

Section 5. WITHIN A PERIOD OF NOT MORE THAN SIXTY (60) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE INTERAGENCY COMMITTEE CREATED BY THE ACT SHALL COME UP WITH RULES AND REGULATIONS NECESSARY FOR THE PROPER IMPLEMENTATION OF THE AMENDMENTS TO THE ACT.

Section 6. *Repealing Clause.* - All laws, decrees, Executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are thereby repealed, amended or modified accordingly.

Section 7. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

Section 8. *Effectivity Clause* -This Act shall take effect fifteen (15) days following its Complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,