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SENATE
S. B. No. 3412

11/11/11



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 9 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.

According to 2006 Annual Poverty Statistics of the National Statistical Coordination Board 27.9 Million Filipinos or 1/3 of the entire population are poor. To address this problem the Department of Social Welfare and Development (DSWD) together with its other programs and services implemented a Conditional Cash Transfer Program known as *Pantawid Pamilyang Pilipino Program (4Ps)* inspired by the successes of similar programs in Latin American countries such as *Bolsa Familia* in Brazil, *Familias en Accion* in Colombia and *OPORTUNIDADES* in Mexico.

The *Pantawid Pamilyang Pilipino Program (4Ps)* is more than a welfare program, it addresses structural inequities in society and promotes human capital development of the poor, thus, breaking the intergenerational cycle of poverty. The conditions attached to the grants require parents to undergo trainings on responsible parenthood, have their children undergo health check-ups and ensure school attendance. The program ensures that there is sufficient resource for the health, nutrition and education of children aged 0-14 year old.

An initial study on the pilot areas of the program shows promising results. A significant increase in enrolment has been noted. Children covered by 4Ps have higher attendance compared to the general population of children in school. There was a remarkable increase in the use of health services by pregnant women and children compared to 2007. There was also a significant increase in the vaccination rate of children, as well as a decrease in prevalence of malnutrition among children. Given the far reaching effects of this program in empowering the poor to cross over from their lives of poverty, there is a need to ensure the sustainability of this Program from this administration to another, hence, the passage of this bill is earnestly being sought.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 TO REDUCE POVERTY AND PROMOTE HUMAN CAPITAL DEVELOPMENT
3 THROUGH THE CREATION OF A NATIONAL CONDITIONAL FUND TRANSFER
4 PROGRAM

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “*Pantawid Pamilyang Pilipino*
6 *Program Act of 2009.*”

7 SECTION 2. *Declaration of Policy.* – It shall be the policy of the State:

8 (A) To provide a just and dynamic social order that will ensure the prosperity and
9 independence of the nation and free the people from poverty through policies that provide
10 adequate social services and improve quality of life.

11 (B) To give priority to education and health of children, accelerate social progress and
12 promote total human liberation and development.

13 (C) To protect the life of mothers and their children.

14 (D) To promote gender equality and empower women.

15 SECTION 3. *Definition of terms.* – As used in this Act, the term–

16 (A) The *Pantawid Pamilyang Pilipino Program (4Ps)* shall refer to the national poverty
17 reduction strategy that provides conditional cash transfer to extremely poor households to
18 improve their health, nutrition and education particularly of children aged 0-14;

19 (B) “Beneficiaries” refer to the extremely poor with pregnant women and/or with
20 children 0-14 year old.

1 (C) "Department" shall refer to the Department of Social Welfare and Development
2 (DSWD) which is the lead agency in the implementation of this program.

3 (D) "Small Area Poverty Estimate" shall refer to a statistical tool and methodology of
4 generating estimates of poverty incidence by combining survey and census data at lower levels
5 of geographic disaggregation (cities and municipalities).

6 SECTION 4. *Objectives of the Pantawid Pamilyang Pilipino Program (4Ps).* – The
7 Pantawid Pamilyang Pilipino Programs (4Ps) aims to:

8 (A) Eliminate extreme hunger and poverty.

9 (B) Achieve universal primary education.

10 (C) Promote gender equality and empowerment of women.

11 (D) Reduce child mortality.

12 (E) Improve maternal health.

13 SECTION 5. *Construction.* – This law shall be liberally construed in favor of the
14 attainment of its objectives.

15 SECTION 6. *Selection of Areas of Implementation.* – The following guidelines shall be
16 followed in the selection of areas of implementation:

17 (A) In the selection of target areas, priority is given to the poorest municipalities as
18 determined by Small Area Poverty Estimates generated by the National Statistical Coordination
19 Board;

20 (B) The cities shall be selected using the list of cities with large pockets of poverty issued
21 by the National Anti-Poverty Commission (NAPC) and/ or the Presidential Commission on
22 Urban Poor (PCUP).

23 SECTION 7. *Eligible Households.* – For a household to qualify as a beneficiary for this
24 program it must meet the following requirements:

25 (A) The household is within the municipality or city identified as areas of
26 implementation;

27 (B) The household has a 0-14 year old child and /or a pregnant woman at the time of
28 registration.

1 (C) The household suffers from chronic poverty as determined by the National
2 Household Targeting System (NHTS) which involves rigorous household assessment and
3 application of a Proxy Means Test, a statistical methodology used to estimate the income of
4 households on the basis of household composition, education, socio-economic characteristic,
5 housing conditions and access to basic services, assets, tenure status and regional variables. The
6 DSWD shall use the NHTS for identifying beneficiaries for the 4Ps as well as other social
7 services.

8 SECTION 8. *Program Conditions.* – All beneficiaries shall comply with the following
9 conditions as a requirement for continued program eligibility:

10 (A) Pregnant women must get at least (3) pre-natal check-up starting from the first
11 trimester, get post natal care and the childbirth must be attended by a skilled/trained health
12 personnel;

13 (B) Parents/ guardians must attend responsible parenthood seminars and parenting
14 education sessions;

15 (C) Children 0-5 years of age must get regular preventive health check-ups and
16 vaccines based on the Department of Health (DOH) protocol;

17 (D) Children 3-5 years of age must enroll in day care program or pre-school and
18 attend at least eighty five percent (85%) of the required school days; and

19 (E) Children 6-14 years of age must be enrolled in school and attend at least eighty
20 five percent (85%) of the required school days. They must also undergo deworming at least twice
21 a year.

22 Failure to comply with the conditionalities warrants the suspension and/or removal of the
23 beneficiary from the program.

24 SECTION 9. *Grant Rates.* – The following amounts shall be released to qualified
25 beneficiaries:

26 (A) The health grant beneficiaries shall receive five hundred pesos (P500) per month
27 per household or a total of six thousand pesos (P6,000.00) per year;

28 (B) The education grant beneficiaries, the 3-14 year old children enrolled at the day
29 care program, pre-school, elementary school or high school shall receive three hundred pesos

1 (P300.00) per month for a ten (10) month school year or a total of three thousand pesos
2 (P3,000.00) in a year with a maximum of three (3) children per household;

3 SECTION 10. *Grievance Redress System.* – The Department shall develop a Grievance
4 Redress System that will address complaints regarding the implementation of this program. The
5 system shall also address issues involving graft and corruption and social inclusion.

6 SECTION 11. *Inter-Agency Council.* – There shall be an Inter-Agency Council for the
7 implementation of the *Pantawid Pamilyang Pilipino Program* (4Ps) composed of the
8 Department of Social Welfare and Development (DSWD) as Chair and the Department of Health
9 (DOH), Department of Education (DepEd), Department of Interior and Local Government
10 (DILG), National Economic Development Authority (NEDA) and National Anti-Poverty
11 Commission (NAPC) as members.

12 SECTION 12. *Functions of the Inter-Agency Council.* – The Council as a collegial body
13 shall have following functions:

14 (A) Formulate policies for the program;

15 (B) Oversee the implementation of the program;

16 (C) Determine adjustments to grant rates and conditionalities in the course of the
17 implementation of the program based on the studies and assessment of the program

18 SECTION 13. *Implementing Rules and Regulations.* – The Department of Social Welfare
19 and Development (DSWD) is hereby designated as the executing agency for this Project. It is
20 authorized to enter into agreements or cooperation with development agencies, both national and
21 international for financing, technical and program support for this program. The Department
22 together with the members of the Inter-Agency Council as well as other relevant agencies the
23 Department may involve shall draft the Implementing Rules and Regulations for the
24 implementation of this law.

25 SECTION 14. *Appropriation.* – The amount of Fifteen Billion Pesos (P15B) annually is
26 hereby appropriated to cover the requirements of the program for 1 Million extremely poor
27 households for 2009 which comprises twenty one percent (21%) of the total poor households.
28 The amount appropriated shall be automatically increased/ decreased to cover at least twenty one
29 Percent (21%) of the total poor should the total population and the total poor shall

1 increase/decrease with time. The appropriation shall continue for at least ten (10) years from the
2 enactment of this Act. The appropriation shall be included in the annual appropriation of the
3 DSWD.

4 SECTION 15. *Separability Clause.* – If any provision, or part hereof is held invalid or
5 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
6 valid and subsisting.

7 SECTION 16. *Repealing Clause.* – Any law, presidential decree or issuance, executive
8 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
9 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

10 SECTION 17. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
11 publication in at least two (2) newspapers of general circulation

Approved.