

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)

First Regular Session

) '04 JUN 30 P4:21
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S E N A T E

S. No. 339

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

In 2001, the Food and Nutrition Research Institute (FNRI), Department of Science and Technology (DOST) conducted a survey covering 12,425 children aged 0 – 10 years of age, with groupings of pre-school age children (0 – 5) and school age children (6 – 10). There were 10,364 pre-school children and 1,791 school age children included in the survey.

The survey revealed that among pre-school children, underweight prevalence was 30.6%, under-height 31.4%, and prevalence of thinness was 6.3%, while a higher proportion for underweight children which was estimated at 32.9%, 41.1% for under-height, and 6.5% for thinness for school age children.

Indeed, malnutrition remains as one of the major problems of the country today. It continues to jeopardize the growth and mental development potentials as well as the very survival of millions of Filipino children.

Thus, it becomes imperative that the National Nutrition Program be strengthened to address the problem of malnutrition and effectively guide every Filipino towards a healthy lifestyle and improved quality of life.

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


SERGIO OSMEÑA III
Senator

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AN ACT
STRENGTHENING THE NATIONAL NUTRITION PROGRAM,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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

1 SECTION 1. Title. — This Act shall be known as the “**Accelerate**
2 **Nutrition Improvement (ANI) Act of 2004.**”

3 SECTION 2. Declaration of Policy. — It is the declared policy of the State
4 to promote a just and dynamic social order that will ensure the prosperity and
5 independence of the nation and free the people from poverty through policies
6 that provide adequate social services, promote full employment, a rising standard
7 of living and an improved quality of life for all; to defend and promote the right of
8 children to assistance including proper care and nutrition and special protection
9 from all forms of neglect, abuse, cruelty, exploitation and other conditions
10 prejudicial to their development.

11 In line with the above, the State further declares its determination to
12 eliminate hunger and reduce all forms of malnutrition are acceptable in a world
13 that has both the knowledge and resources to end this human catastrophe.

14 The State maintains that nutrition is both an end-goal and a means to
15 achieve development. It is a multi-factorial concern requiring inputs from all

1 sectors. As such, nutrition shall be a priority of the government to be
2 implemented by all its branches in collaboration with non-government
3 organizations and the private sector, the business sector and people's
4 organization, in an integrated manner with focus to nutritionally and economically
5 depressed areas, communities and households.

6 Section 3. Objectives. – The ANI Act of 1998 aims to improve the
7 nutritional status of the country and its citizenry. In order to achieve improved
8 nutrition, it aims to:

- 9 a) Strengthen the National Nutrition Council (NCC) as the highest policy-
10 making and coordinating body on nutrition to ensure coherence of
11 nutrition programs of national government agencies, local government
12 units and non-government organizations with the national nutritional
13 plan;
- 14 b) Provide a policy environment conducive to nutrition improvement in
15 both social and economic development sectors;
- 16 c) Provide mechanisms, strategies and approaches in implementing
17 programs and projects to improve nutritional status and to eradicate
18 hunger and malnutrition; as well as prescribe standards and criteria for
19 efficient and effective intervention to maximize the impact for the
20 nutritionally-at-risk; and
- 21 d) Ensure participation and cooperation on the NNC member agencies,
22 other national government agencies (NGAs) or instrumentalities, local
23 government units (LGUs), non government organizations (NGOs), and
24 the academe in an integrated manner for the promotion of the
25 nutritional well-being of the population.

26 Section 4. Definition Terms. – As used in this Act, the following terms
27 shall mean:

- 1 a) NNC – the existing National Nutritional Council as created by
2 Presidential Decree No. 491 as amended by Executive Order No. 234
3 and Administrative Order No. 88.
- 4 b) BIDANI – *Barangay Integrated Development Approach for Nutrition*
5 *Improvement of the rural poor (BIDANI)* is a strategy and network
6 program for nutrition improvement utilizing a systematic and holistic
7 approach to development planning with active involvement of all
8 sectors at different levels of activities. It is spearheaded by a network
9 of state universities and colleges (SUCs) utilizing multi-disciplinary and
10 technical human resources, which are non-political and which
11 guarantee continuity. It strengthens direct nutrition interventions as a
12 shared responsibility between the community and service providers to
13 prevent malnutrition and to rehabilitate malnourished children.
- 14 c) Household food security – access by all people at all times to
15 nutritionally adequate and safe food needed for an active and healthy
16 life.
- 17 d) Local chief executive – the highest elective position in a local
18 government unit. More specifically, it refers to the governor, city and
19 municipal mayors and barangay captain.
- 20 e) Local nutrition plan – the medium term and annual integrated
21 nutritional plan formulated by the LGU to address its nutritional
22 problems, which is integral to the local development plan. It is based
23 on the particular needs and situation of the LGU, but adheres to the
24 general principles and directions set in the national nutritional plan.
- 25 f) National nutrition plan – the medium-term and annual integrated
26 nutrition plan formulated by the National Nutrition Council. It sets goals
27 and directions for the formulation and implementation of programs and
28 projects by relevant government instrumentalities, LGUs, NGOs,
29 including business corporations and community-based organizations,

1 the academe and international community. It is also an integral
2 component of the Philippine Medium-Term Development Plan
3 (MTPDP). As such, the national nutritional plan adheres to
4 development efforts enunciated in the MTPDP.

5 g) Non-government Organization (NGO) – private, non-profit
6 organizations that are committed to the task of socioeconomic
7 development and established primarily for service.

8 h) Nutritionally depressed areas – barangays, cities, municipalities, or
9 provinces which, based on nutrition and one or more socioeconomic
10 indicators, are nutritionally more disadvantaged when compared to
11 other areas of the country.

12 Section 5. The National Nutrition Council. – The National Nutrition Council
13 (NNC) composed of a governing board and a secretariat, is the highest policy-
14 making body on nutrition. It shall formulate the medium-term and annual nutrition
15 plan, and coordinate its implementation. It shall provide over-all directions for the
16 nutrition plans and programs and coordinate with all other agencies which
17 contribute resources and expertise for nutrition development. It shall meet at
18 least two (2) times a year, without prejudice to holding of more frequent meetings
19 as may be needed.

20 In order to increase its efficiency and effectiveness, the composition of
21 the NCC governing board is hereby expanded:

22 a) The governing board – The governing shall be composed of
23 secretaries or head of the following agencies:

- 24 1. Department of Agriculture – who is hereby designated as
25 chairman;
- 26 2. Department of Health – who shall be the vice-chairman;
- 27 3. Department of Social Welfare and Development – Member;
- 28 4. Department of Education, Culture and Sports – Member;
- 29 5. Department of Interior and Local Government – Member;

- 1 6. Department of Science and Technology – Member;
- 2 7. Department of Budget and Management – Member;
- 3 8. department of Labor and Employment – Member;
- 4 9. Department of Agrarian Reform – Member;
- 5 10. Department of Trade and Industry – Member;
- 6 11. National Economic and Development Authority – Member;
- 7 12. Commission on Higher Education – Member; and
- 8 13. Three (3) representatives from the private sector to be
- 9 appointed by the President.

10 The Board shall create a permanent technical committee and ad hoc
11 committees of experts as it may deem necessary, to act as the Council's
12 advisory body on policy and program matters. The members of the technical
13 committee shall also facilitate intra and intra-agency and sectoral coordination of
14 efforts for nutrition improvement.

15 The chairperson and the members of the board and technical committee
16 and committees of experts shall receive no compensation but shall be entitled to
17 honoraria and other emoluments as may be fixed by the Board for every meeting
18 actually attended, subject to existing laws, rules and regulations.

19 b) The secretariat shall serve as the executive arm of the governing
20 board. It shall be headed by an executive director, assisted by two (2)
21 deputy executive directors, all of whom shall be appointed by the
22 President.

23 Section 6. Functions and Powers. – The Council shall have the following
24 functions and powers:

- 25 a) Formulate national nutrition policies, plans, strategies and approaches
26 for nutritional improvement;
- 27 b) Formulate standard and criteria for efficient and effective interventions
28 to maximize impact for the nutritionally at-risk populations;

- 1 c) Educate the public on nutrition and its importance to individual,
2 community, and national development;
- 3 d) Oversee and serve as local point in the coordinated implementation of
4 policies and programs of all member and government instrumentalities
5 as well as other concerned non-government organizations charged
6 with the execution of existing laws, policies, rules and regulations
7 concerning nutrition;
- 8 e) Coordinate, monitor and evaluate programs and projects of both public
9 and private sectors as well as LGUs in order to ensure integration of
10 nutrition with national policies;
- 11 f) Generate resources either by direct solicitation or by fund raising
12 activities from various entities, agencies, and the general public; acting
13 as trustee of funds generated to support nutrition program and
14 projects;
- 15 g) Call upon any government agency and instrumentality comprising the
16 pillars of the executive and legislative systems for such assistance as
17 may be required to implement the provisions of this Act in order to
18 reduce and eventually eliminate malnutrition in the country; and
- 19 h) Do such act, adopt such measures, enter into such arrangements to
20 issue such rules and regulations as may be proper for the integration,
21 systematization, administration and implementation of all nutrition
22 programs.

23 Section 7. Role of NNC Member-Agencies, other National Government
24 Agencies and Local Government Units, the Academe, and Non-government
25 Organizations in the ANI Act. – The NNC member agencies shall ensure the
26 successful implementation of programs and projects, development of
27 promotional, preventive and curative nutrition programs, and integration of
28 nutrition concerns in their respective policies and plans. They shall provide
29 additional resources in any form in support of the local nutrition plan as a

1 continuing involvement of the national government to local plans and programs.
2 They shall likewise submit to the NNC governing board through the NNC
3 secretariat yearly accomplishment reports of nutrition and nutrition related
4 activities for the assessment and evaluation of the government delivery system
5 on nutrition.

6 Other national government agencies shall serve as an important link in
7 promoting nutrition in development through participation in the continuing
8 advocacy for nutrition improvement, and integration of nutrition consideration in
9 their sectoral plans and programs.

10 The local government units (LGUs), pursuant to the Local Government
11 Code of 1991, shall provide and deliver basic nutrition services and facilities to
12 the community. As such, they shall formulate, implement, manage, monitor and
13 evaluate medium-term and annual local nutrition plans. The LGUs shall organize
14 inter-agency local nutrition committees which shall be chaired by the local chief
15 executive either as a committee of the local development council (LDC) or as a
16 subcommittee of a committee of the LDC. LGUs shall integrate nutrition
17 considerations in their short, medium and long-term development plans and
18 programs and shall coordinate with the NNC in the enforcement of the Act.
19 LGUs shall recruit, train and deploy nutritionist-dietitians in every municipality,
20 city, and province; and recruit, train and deploy barangay nutrition scholars in
21 every barangay in support of the local nutrition plan. LGUs shall also submit to
22 the NNC annual reports of accomplishments of their respective nutrition plans.

23 State universities and colleges (SUC) and DECS – supervised schools
24 and colleges shall intensify nutrition-related training, research and extension
25 support activities through the BIDANA network program and other relevant
26 approaches, thereby accelerating community development in partnership with the
27 LGUs. They shall likewise coordinate with their respective LGUs in connection
28 with nutrition and related initiatives. They shall also submit to their respective
29 LGUs quarterly reports of accomplishments on nutrition and related concerns.

1 Section 8. Appropriations. – The amount necessary to carry out the initial
2 implementation of this Act shall be charged against the current year's
3 appropriations of the National Nutrition Council. Thereafter, such amount as may
4 be necessary for its continued implementation shall be included in the annual
5 General Appropriation Act.

6 Section 9. Implementing Rules and Regulations. – The NNC in
7 cooperation with the agencies concerned, shall formulate the necessary rules
8 and regulations for the effective implementation of this Act within ninety (90) days
9 from its approval.

10 Section 10. Separability Clause. – If any provision of this Act or the
11 application of such provision to any instrumentalities or entities or circumstances
12 is held invalid or unconstitutional for any reason the remainder, or this Act or the
13 application of such other provisions shall not be affected and shall remain in
14 force and in effect.

15 Section 11. Repealing Clause. – All laws and part of laws, decrees,
16 orders, proclamations, issuances, rules and regulations which are inconsistent
17 with the provisions of this Act are hereby repealed, amended or modified
18 accordingly.

19 Section 12. Saving Clause. – Powers, functions and rights already
20 acquired and existing at the time of the passage of this Act shall not in any way
21 be abridged, modified nor abated, unless repealed, amended or modified under
22 the preceding section.

23 Section 13. Effectivity. – This Act shall take effect fifteen (15) days after
24 its publication in the Official Gazette or in at least two (2) national newspapers of
25 general circulation, whichever comes earlier.

26 Approved,