



SIXTEENTH CONGRESS OF )  
THE REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

74 DEC 15 P3:21

SENATE

S.B. NO. 2515

*ji*

---

Introduced by Senator Loren Legarda

---

**AN ACT PROVIDING FOR A MAGNA CARTA OF THE POOR**

**EXPLANATORY NOTE**

Despite the country's continued economic progress, majority of Filipinos continue to struggle on a daily basis according to the Philippine Statistics Authority (PSA). Fisherfolk and farmers remained the most indigent among the nine basic sectors that include children, the self-employed, unpaid family workers and women. The PSA reported that in the first six months of 2013, the poverty incidence was estimated at 24.9 percent of the population while subsistence, which refers to the numbers of Filipinos living in extreme poverty, was at 10.7 percent.

This bill, therefore, seeks to raise the standard of living and the quality of life of the underprivileged Filipinos. It shall adopt an area-based, sectoral, and focused intervention to poverty alleviation. This bill will ensure that each citizen will rightfully receive minimum basic needs through partnership between the government and its basic sectors. It shall institutionalize long-term strategies and solutions that will give the poor dignity and a better way of life.

Under this measure, the government will prioritize investments and anti-poverty programs to enable the poor to take part in the country's growth and development. All department, agencies and sectors of the government shall open its services to the poor. All government agencies shall be mandated to formulate its own National Poverty Reduction Plan (NPRP), which consists of all the sectoral and local poverty reduction plans of each barangay, municipality, city and province.

The National Anti-Poverty Commission (NAPC) with the assistance of the National Economic and Development Authority (NEDA) shall be in-charge of organizing these plans. The NEDA shall establish a system of classification of the beneficiaries of this program.

The poverty plan will be included in the national budget which will be reviewed by the Department of Budget and Management. The funding will come from various government programs including but not limited to the Pantawid Pamilyang Pilipino Program (4Ps) and Sustainable Livelihood Program (SLP) of the Department of Social Welfare and Development (DSWD), Special Program for Employment of Students (SPES) and Tulong Panghanapbuhay sa Ating Disadvantaged Workers (TUPAD) Project of the Department of Labor and Employment (DOLE), and Socialized housing programs of the National Housing Authority. Deficiencies in funding for the implementation of pro-poor programs by the different departments and agencies will be included in the General Appropriations Act of the year.

The government is expected to implement the provisions of this bill in accordance with a system of progressive realization over a period of time, depending on the availability of resources and economic resource constraints.

In view of the abovementioned reasons, passage of the said measure is hereby recommended.



**LOREN LEGARDA**  
Senator



SIXTEENTH CONGRESS OF )  
THE REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

'14 DEC 15 P.3:21

SENATE

S.B. NO. 2515

RECEIVED BY: *[Signature]*

Introduced by Senator Loren Legarda

**AN ACT PROVIDING FOR A MAGNA CARTA OF THE POOR**

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

- 1 **SECTION 1. Title.** - This Act shall be known as the "*Magna Carta of the Poor*".
- 2
- 3 **SEC. 2. Declaration of Policy.** - It is the declared policy of the State to uplift the
- 4 standard of living and quality of life of the poor and provide them with sustained
- 5 opportunities for growth and development. It shall adopt an area-based, sectoral, and
- 6 focused intervention to poverty alleviation where every poor Filipino family must be
- 7 empowered to meet their minimum basic needs, through the partnership of the
- 8 government and the basic sectors. It is likewise vital that the State complies with its
- 9 international obligations to eradicate extreme poverty and hunger; achieve universal
- 10 primary education; promote gender equality and empowerment of women; reduce
- 11 child mortality; improve maternal health; combat Human Immunodeficiency
- 12 Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS), malaria and other
- 13 diseases; and ensure environmental sustainability and development of a global
- 14 partnership for development.
- 15
- 16 To attain the foregoing policy:
- 17
- 18 (a) The government shall prioritize investments in anti-poverty programs to enable
- 19 the poor to fully participate in the country's growth and development;
- 20
- 21 (b) All departments, agencies and instrumentalities of the government shall provide
- 22 full access of its services to the poor;
- 23
- 24 (c) The government shall strengthen interventions to address the genuine concerns
- 25 of the poor and shall institutionalize long-term strategies and solutions for the
- 26 empowerment of the poor; and
- 27
- 28 (d) Government strategies shall enhance and promote the capabilities and
- 29 competencies of the basic sectors, the nongovernment organizations (NGOs) and
- 30 people's organizations (POs), as development partners of the government for the
- 31 effective delivery and implementation of a wide range of anti-poverty programs
- 32 and basic services.
- 33

34 **SEC. 3. Definition of Terms.** - As used in this Act:

35

- 1 (a) Basic sectors refer to the disadvantaged sectors of Philippine society including  
2 farmer-peasants, artisanal fisherfolk, workers in the formal sector including  
3 migrant workers, workers in the informal sector, indigenous peoples and  
4 cultural communities, women, persons with disability, senior citizens, victims of  
5 calamities/natural and human-induced disasters, youth and students, children,  
6 the urban poor and members of cooperative;
- 7 (b) Development partners refer to NGOs, POs and private corporations which are  
8 engaged in programs and activities aimed at alleviating the condition of the  
9 poor;
- 10 (c) Hazardous/danger zones refer to areas which, when occupied for residential or  
11 business purposes, pose a danger to the life and safety of the occupants or of the  
12 general public;
- 13 (d) Nongovernment organizations (NGOs) refer to duly registered nonstock,  
14 nonprofit organizations focusing on the upliftment of the basic sectors of society  
15 by providing advocacy, training, community organizing, research, access to  
16 resources, protection of the environment and conservation of natural resources  
17 and other similar activities;
- 18 (e) People's organizations (POs) refer to self-help groups belonging to the basic  
19 sectors composed of members having a common bond of interest who  
20 voluntarily join together to achieve a lawful common social or economic end;
- 21 (f) Poor refers to individuals or families whose income falls below the poverty  
22 threshold as defined by the National Economic and Development Authority  
23 (NEDA) and/or who cannot afford in a sustained manner to provide their  
24 minimum basic needs of food, health, education, housing, or other essential  
25 amenities of life; and
- 26 (g) National Poverty Reduction Plan refers to the aggregation and consolidation of  
27 sectoral and local plans through a bottom-up approach, from the Local Poverty  
28 Reduction Action Plan towards the formulation of the national plan.
- 29

30 **SEC. 4. Scope of the Fundamental Rights of the Poor.** - The government shall establish  
31 a system of progressive realization or implementation to provide the requirements,  
32 conditions and opportunities for the full enjoyment of the following rights of the poor  
33 which are essential requirements towards poverty alleviation:

34

- 35 (a) The Right to Adequate Food is the right of individuals or families to have  
36 physical and economic access to adequate and healthy food, or the means to  
37 procure it. The Department of Social Welfare and Development (DSWD), the  
38 Department of Agriculture (DA), and other implementing agencies concerned  
39 shall:
- 40
- 41 (1) Undertake necessary actions to mitigate and alleviate hunger  
42 especially in times of calamities/natural and human-induced  
43 disasters;
  - 44 (2) Fully implement and maintain supplementary feeding programs in  
45 day care centers and schools;
  - 46 (3) Ensure the availability, accessibility and sustainability of food  
47 supplies in a quantity and quality sufficient to meet the dietary  
48 needs of poor individuals and families; and
  - 49 (4) Proactively engage the poor in activities intended to promote their  
50 food self-sufficiency and strengthen their access to resources and  
51 means to ensure food security.
- 52

1 (b) The Right to Decent Work is the right to the opportunity to obtain decent and  
2 productive employment in conditions of freedom, equity, security and human  
3 dignity. The Department of Labor and Employment (DOLE) and other  
4 implementing agencies concerned shall:

- 5
- 6 (1) Ensure that the poor shall have access to information regarding  
7 employment openings in private enterprises and in government  
8 programs and projects especially regarding available emergency  
9 employment opportunities for families displaced by  
10 calamities/natural and human-induced disasters or relocated from  
11 hazardous/danger zones;
- 12 (2) Ensure the compliance of private contractors and subcontractors  
13 doing national and local public work projects, funded by either the  
14 national government or any local government unit (LGU), to fill in  
15 thirty percent (30%) of the skilled labor requirements by qualified  
16 workers who come from the poor sector and who are residents of  
17 the LGUs where these projects are undertaken: Provided, That  
18 where the number of available resources is less than the required  
19 percentage provided therein, said requirements shall be based on  
20 the maximum number of locally available labor resources and shall  
21 be certified by the municipal, city, provincial or district engineer as  
22 sufficient compliance with the labor requirements under this Act;
- 23 (3) Promote livelihood among the poor. These implementing agencies  
24 shall provide technical and administrative support to help the poor  
25 establish their livelihood enterprise using loans obtained from  
26 them;
- 27 (4) Ensure compliance with core labor standards, address the job and  
28 skills mismatch, and enhance human capital through education and  
29 training; and
- 30 (5) Provide an environment for more inclusive tripartism to achieve  
31 more broad-based representation of interests and make decision-  
32 making highly participatory through social dialogue at the firm  
33 and industry levels.

34

35 (c) The Right to Relevant and Quality Education is the right to attain the full  
36 development of the human person. The Department of Education  
37 (DepED), the Commission on Higher Education (CHED) and the  
38 Technical Education and Skills Development Authority (TESDA), in  
39 coordination with development partners concerned, shall:

- 40
  - 41 (1) Maintain a system of free public education in the kindergarten,  
42 elementary and high school levels;
  - 43 (2) Make higher education accessible to all poor individuals and families.  
44 They shall expand the programs of providing socialized college education  
45 to the poor, including student loans or study-now-pay-later plans, in  
46 state/local universities and colleges: Provided, That the students qualify  
47 and maintain good academic standing; and
  - 48 (3) Ensure access to quality technical/vocational education and training  
49 through scholarships, subsidies and financial assistance to ensure access  
50 to decent and productive employment subject to compliance to  
51 qualification requirements and availability of funds.<sup>7</sup>
- 52

1 (d) The Right to Adequate Housing is the right to have a decent, affordable, safe and  
2 culturally appropriate place to live in, with dignity, security of tenure, in peace,  
3 with access to basic services, facilities, and livelihood. The Housing and Urban  
4 Development Coordinating Council (HUDCC) and other implementing agencies  
5 concerned shall:  
6

- 7 (1) Prioritize the implementation of the socialized housing program  
8 with identified appropriate subsidies;
- 9 (2) Immediately construct and provide housing facilities for families  
10 living in identified hazardous/danger zones where the housing  
11 needs of the poor are urgent;
- 12 (3) Create an enabling environment that will assist the poor gain access  
13 to security of tenure with the least financial burden; and
- 14 (4) Provide a system consisting of simple requirements and  
15 procedures, and expeditious processing and approval especially for  
16 community-based socialized housing/people's proposals.  
17

18 (e) The Right to the Highest Attainable Standard of Mental and Physical Health is  
19 the right to have equitable access to a variety of facilities, goods, services and  
20 conditions necessary for the realization of the highest attainable standard of  
21 health. The Department of Health (DOH) and other implementing agencies  
22 concerned shall:  
23

- 24 (1) Ensure equitable access to a system of good quality health care and  
25 protection that is also available, accessible, and acceptable to the  
26 poor;
- 27 (2) Provide for comprehensive, universal, culture-sensitive, and  
28 gender-responsible health services and programs which include: (i)  
29 maternal and child health care and nutrition; (ii) access to ethical,  
30 legal, medically safe and effective reproductive health services and  
31 supplies; (iii) promotion of breastfeeding; (iv) prevention and  
32 management of reproductive tract infections, sexually transmitted  
33 diseases, HIV and AIDS; (v) provision of immunization against  
34 major infectious diseases occurring in the community; and (vi)  
35 prevention, treatment and control of epidemic and endemic  
36 diseases;
- 37 (3) Reduce the financial burden of health care and protection of the  
38 poor through a socialized health insurance program with the end  
39 view of totally eliminating out-of-pocket expenses; and
- 40 (4) Provide health-related education and information to the  
41 community.  
42

43 **SEC. 5. Non-Diminition of the Rights of the Poor.** - All other rights of the poor  
44 provided under existing laws shall remain in full force and effect. Nothing herein shall  
45 be construed in a manner that will diminish the enjoyment of such rights by the poor  
46 who shall have the right to avail of greater rights offered by existing laws, including  
47 those granted under this Act.  
48

49 **SEC. 6. Social Protection.** - The government shall build an effective social protection  
50 system to ensure the protection of the poor from any risk or contingency. The system  
51 shall include social insurance, safety nets, social welfare, and labor market interventions  
52 which are affordable and accessible. This social protection shall likewise be afforded in

1 and during bilateral and multilateral negotiations, including arrangements to be  
2 entered into with international financial institutions.

3  
4 **SEC. 7. System for Targeting of Beneficiaries.** - The NEDA shall design and establish a  
5 single system of classification to be used for targeting beneficiaries of the government's  
6 poverty alleviation programs and projects to ensure that such programs reach the  
7 intended beneficiaries.

8  
9 **SEC. 8. The National Poverty Reduction Plan (NPRP) and Enhanced Coordination  
10 and Convergence among Government Agencies.** - All government agencies shall  
11 formulate, within one hundred (100) days from the issuance of the rules and regulations  
12 to implement this Act, a comprehensive and convergent plan to set the thresholds to be  
13 achieved by the government for each of the recognized rights of the poor. This plan  
14 shall consider all sectoral and local poverty reduction plans of each barangay,  
15 municipality/city and province. The National Anti-Poverty Commission (NAPC), with  
16 the technical assistance of the NEDA, shall be tasked to compile and harmonize these  
17 plans. The Department of Budget and Management (DBM) shall likewise review the  
18 NPRP for inclusion in the budget of implementing agencies.

19  
20 **SEC. 9. Participation of the Basic Sectors and of the Local Government Units (LGUs).**  
21 - The NAPC shall ensure that the basic sectors and the LGUs are engaged in the  
22 formulation and in the implementation of the NPRP. The Department of the Interior  
23 and Local Government (DILG) shall monitor the compliance of the LGUs in aligning  
24 their respective development, investment, and poverty reduction plans with the NPRP,  
25 and in implementing the same.

26  
27 **SEC. 10. Funding Requirements.** - The funding for the poverty alleviation programs  
28 and projects implemented under this Act shall be sourced from the existing  
29 appropriations as authorized under the General Appropriations Act of the different  
30 departments and agencies implementing these programs including those enumerated  
31 below:

- 32  
33 (a) DSWD - Pantawid Pamilyang Pilipino Program (4Ps) and Sustainable Livelihood  
34 Program (SLP);  
35 (b) DOLE - Special Program for Employment of Students (SPES) and Tulong  
36 Panghanapbuhay sa Ating Disadvantaged Workers "TUPAD" Project;  
37 (c) TESDA - Skills Training, Private Education Student Financial Assistance  
38 (PESFA) and the Training for Work Scholarship Program (TWSP);  
39 (d) DepED - Alternative Learning System (ALS) and Government Assistance to  
40 Students and Teachers in Private Education (GASTPE);  
41 (e) CHED - Student Financial Assistance Program (STUFAP);  
42 (f) NHA - Socialized housing program;  
43 (g) DOH - Basic health care services including potable water system; and  
44 (h) PhilHealth - Expanded Primary Care Package for the Poor.

45  
46 Allocations for the implementation of these programs and projects shall be given  
47 preferential consideration in the funding allocation of the department/agency budget.  
48 Any additional funds to the existing appropriations of the pro-poor programs in the  
49 different departments and agencies shall be included in the General Appropriations Act  
50 of the year following its enactment into law and thereafter.

51  
52 **SEC. 11. Private Sector Participation.** - The private sector is highly encouraged to be an  
53 active partner in the financing and implementation of poverty alleviation programs and

1 projects. The government agencies implementing these programs shall be authorized to  
2 accredit development partners, who may accept donations, aids or grants, in cash or in  
3 kind, from duly accredited sources, to meet the demands of and uphold the basic rights  
4 of the poor to adequate food, decent work, relevant and quality education, adequate  
5 housing, and the highest attainable standard of mental and physical health. Acceptance  
6 and use of such donations, aids or grants, shall be transparent and subject to  
7 government applicable regulations. The government shall recognize top performing  
8 development partners.

9  
10 **SEC. 12. Tax Exemptions.** - Any donation, contribution and grant which may be made  
11 to the sponsored program shall be exempt from the donor's tax and shall be considered  
12 as allowable deduction from the gross income in the computation of the income tax of  
13 the donor in accordance with the provisions of the National Internal Revenue Code of  
14 1997, as amended. The implementers of the socialized housing resettlement program  
15 shall enjoy the incentives stated in Section 20 of Republic Act No. 7279, otherwise  
16 known as the "Urban Development and Housing Act of 1992".

17  
18 **SEC. 13. Rational Allocation of Funds.** - The DBM shall be principally responsible for  
19 the efficient and rational allocation of available funds to the different government  
20 departments and agencies to support the implementation of this Act.

21  
22 **SEC. 14. Implementation Through a System of Progressive Realization.** - Nothing in  
23 this Act shall be construed in any manner as requiring the government to undertake the  
24 immediate implementation of all poverty alleviation programs. The government shall  
25 set programmatic standards to be achieved over time depending upon the availability  
26 of necessary resources and in consideration of economic resource constraints.

27  
28 **SEC. 15. Compliance Report.** - The NAPC shall be tasked to oversee and monitor  
29 compliance with this Act. Within six (6) months from the effectivity of this Act and  
30 every six (6) months thereafter, all implementing departments and agencies shall  
31 submit a report to the NAPC on their respective compliance with the provisions of this  
32 Act which, in turn, shall submit a compliance report to the House Committee on  
33 Poverty Alleviation and to the Senate Committee on Social Justice, Welfare and Rural  
34 Development.

35  
36 **SEC. 16. Implementing Rules and Regulations.** - Within six (6) months from the  
37 effectivity of this Act, the NAPC shall, in coordination with the government  
38 departments and agencies, with the participation of the LGUs and the basic sectors,  
39 promulgate rules and regulations to carry out the provisions of this Act.12

40  
41 **SEC. 17. Separability Clause.** - If, for any reason, any section or provision of this Act is  
42 declared unconstitutional or invalid, the other sections or provisions which are not  
43 affected shall continue to be in full force and effect.

44  
45 **SEC. 18. Repealing Clause.** - All laws, decrees, executive orders, proclamations, rules  
46 and regulations or parts thereof inconsistent herewith are repealed, amended, or  
47 modified accordingly.

48  
49 **SEC. 19. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in  
50 the Official Gazette or in a newspaper of general circulation.

51  
52 Approved,