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SENATE

S.B. No. **1439**

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Introduced by Senator Loren Legarda

EXPLANATORY NOTE

Solo parent refers to a parent who is left alone with the responsibility of parenthood due to death, detention, mental incapacity or legal separation with spouse. It also refers to women who became pregnant due to abuse.

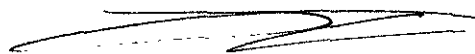
Republic Act No. 8972, otherwise known as the Solo Parent's Welfare Act, provides for the remuneration and privileges of a solo parent. Said law mandates the Department of Social Welfare and Development (DSWD) to assist solo parents through social development and welfare services such as livelihood development services, counseling services, parent effectiveness services, critical incidence stress debriefing and other special projects for individuals in need of protection.

Even with these privileges, double hardship still saddles solo parents; they perform parental duties single-handedly in the face of economic turmoil characterized by skyrocketing prices, poverty and massive unemployment. As such, there is a necessity to amend the existing law to address the financial concerns of solo parents amidst the economic difficulties that the country is experiencing.

This bill aims to provide additional support and benefits to solo parents. Such benefits include:

1. Ten percent (10%) discount from all purchases of clothing and clothing materials for the child for two (2) years from child birth;
2. Fifteen (15%) discount from all purchases of baby's milk, food and food supplements;
3. Fifteen (15%) percent discount from all purchases of medicines and other medical supplements/ supplies for the child; and
4. Basic personal exemption from individual income tax.

The enactment of this proposed measure will help lessen the financial burden carried by solo parents by affording them additional remuneration. Through this, we are assisting the solo parents to be able to provide a better future for their children. In view of the aforementioned, the passage of this bill is sought.



LOREN LEGARDA
Senator

10 JUL 13 04:21

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AN ACT
AMENDING REPUBLIC ACT NO. 8972, OTHERWISE KNOWN AS THE SOLO
PARENTS' WELFARE ACT OF 2010, 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 Philippines in 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 a period of at least one (1) year;
 - (4) Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of the other spouse as certified by a public medical practitioner;
 - (5) Parent 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, provided 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, provided 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;
 - (8) Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or giving them up to a welfare institution;
 - (9) Any other person who solely provides parental care and support to a child or children, provided said person was entrusted with the custody of the children;
 - (10) Any family member who assumes the responsibility as the head of the

family resulting from 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 sole responsibility of parenthood, shall terminate his/her eligibility for these benefits. Said benefits shall cease to be available by the end of the year when the parent was last deemed a solo parent as defined by this act. PROVIDED, THAT, A SINGLE PARENT WHO IS RECEIVING SUPPORT FROM THE CHILD'S OTHER PARENT SHALL NOT BE ELIGIBLE TO RECEIVE THE BENEFITS UNDER SECTION 12-A OF THE ACT.

(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 over 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.

SEC. 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."

SEC. 3. There shall be created and inserted Section 12-A of the Act to read as follows:

"**SECTION 12-A. ADDITIONAL BENEFITS.** - IN ADDITION TO THE FOREGOING BENEFITS, SOLO PARENTS 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 MADE WITHIN A PERIOD OF UP TO TWO (2) YEARS FROM THE CHILD'S BIRTH;
- (2) FIFTEEN PERCENT (15%) DISCOUNT FROM ALL PURCHASES OF BABY'S MILK, FOOD AND FOOD SUPPLEMENTS MADE WITHIN A PERIOD OF TWO (2) YEARS FROM THE CHILD'S BIRTH;
- (3) FIFTEEN PERCENT (15%) DISCOUNT FROM ALL PURCHASES OF MEDICINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE CHILD MADE WITHIN A PERIOD OF FIVE (5) YEARS FROM THE CHILD'S BIRTH; AND
- (4) BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS (PHP 50,000.00) IN ADDITION TO

THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR HIS/HER DEPENDENT CHILD OR CHILDREN.

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

SEC. 4. There shall also be created and inserted Section 13-A to read as follows:

"SECTION 13-A. PENALTIES - 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 (PHP 50,000.00) FOR THE FIRST VIOLATION; ONE HUNDRED THOUSAND PESOS (PHP 100,000.00) FOR THE SECOND VIOLATION; AND TWO HUNDRED THOUSAND PESOS (PHP 200,000.00) FOR THE THIRD VIOLATION.

IN ADDITION TO SAID FINE, THE SAID BUSINESS MAY BE ORDERED CLOSED BY THE APPROPRIATE IMPLEMENTING AGENCY."

SEC. 5. Rules and Regulations by the Interagency Committee. Within a period of not more than sixty (60) days from the effectivity of this Act, the Inter-agency Committee created by the Act shall come up with the rules and regulations necessary for the proper implementation of the amendments to the same.

SEC. 6. Repealing Clause - all laws, decrees, executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC 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.

SEC 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) newspaper of general circulation.

Approved,