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SENATE
S. No. 1938

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article XV, Section 3, paragraph 2 provides that the State shall defend:

"The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development."

Baby abandonment is an issue that affects and is affected by teenagers, parents, teachers, schools, churches, community organizations, and all of the social services that exist to protect parents and children, including health care, child welfare, mental health care, and welfare.

Not only is there a lack of information on the number of babies abandoned across the country, but experts also lack information on the characteristics and motivations of parents who abandon their babies. While individual cases involving newborn babies abandoned by their mothers in public places, receives press attention, no one knows how frequently such events occur.

This bill seeks to establish a task force within the Department of Social Welfare and Development (DSWD) to gather information about, study, and report to the congress regarding, incidents of abandonment of infant children.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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1 AN ACT
2 ESTABLISHING A TASK FORCE WITHIN THE DEPARTMENT OF SOCIAL
3 WELFARE AND DEVELOPMENT TO GATHER INFORMATION ABOUT,
4 STUDY, AND REPORT TO THE CONGRESS REGARDING, INCIDENTS OF
5 ABANDONMENT OF INFANT CHILDREN

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

6 SECTION 1. *Short Title.* - This Act shall be known as the "Baby Abandonment
7 Prevention Act."

8 SECTION 2. *Definition of Terms.* - The following terms as used in this Act shall be
9 defined as follows:

10 (1) "Baby abandonment" refers to discarding or leaving alone, for an extended period of
11 time, a child younger than 12 months of age in a public or private setting with the intent to
12 dispose of the child;

13 (2) "Department" refers to the Department of Social Welfare and Development (DSWD);

14 (3) "Infant child" refers to a child not more than 12 months of age.

15 SECTION 3. *Establishment of Task Force on Baby Abandonment.* -

16 (a) In General- The Department shall establish a task force to carry out the following:

17 (1) Collecting information from local law enforcement agencies and child welfare
18 agencies regarding incidents of abandonment of an infant child by a parent of that child.

19 (2) Maintaining that information in a comprehensive database.

20 (3) Studying that information and making findings, conclusions, and
21 recommendations regarding that information.

22 (4) Submitting reports in accordance with this section.

1 (b) Information included - The information referred to in subsection (a) shall include
2 information with respect to the following:

3 (1) The prevalence of such incidents.

4 (2) The demographics of such children and such parents.

5 (3) The factors that influence the decision of such parents to abandon such
6 children.

7 (4) The circumstances surrounding such abandonments, including the time, place,
8 and manner of such abandonments.

9 (5) The outcomes for such children and such parents after such abandonments.

10 (6) Trends and variations in the matters set forth in paragraphs (1) through (5).

11 (c) Reports - Not later than one (1) year after the date of the effectivity of this Act, and
12 annually thereafter, the Task Force on Baby Abandonment shall submit a report to the Congress
13 detailing its methodology, findings, conclusions, and recommendations.

14 SECTION 4. *Separability Clause.* - If any provision of this Act is held invalid or
15 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain
16 valid and subsisting.

17 SECTION 5. *Repealing Clause.* - Any law, presidential decree or issuance, executive
18 order, letter of instruction, administrative rule or regulation contrary to or inconsistent with the
19 provisions of this Act is hereby repealed, modified or amended accordingly.

20 SECTION 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
21 publication in at least two (2) newspapers of general circulation.

22 Approved,