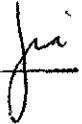


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SENATE
S.B. No. 537

RECEIVED BY: 

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



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

13 JUL -8 A8 38

SENATE

RECEIVED BY: *fu*

S.B. No. **537**

Introduced by Senator Loren Legarda

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:

1 SECTION 1. Section 3 of the Act is hereby amended to read as follows:

2
3 *"Section 3. Definition of Terms - Whenever used in this Act, the following terms shall*
4 *mean as follows:*

5
6 (a) **"Solo parent"** - any individual who falls under any of the following categories:

7 (1) A woman who gives birth as a result of rape and other crimes against chastity,
8 even without a final conviction of the offender. Provided, that the mother keeps
9 and raises the child;

10 (2) Parent left solo or alone with the responsibility of parenthood due to death of
11 spouse;

12 (3) Parent left solo or alone with the responsibility of parenthood while the spouse is
13 detained or is serving sentence for a criminal conviction for a period of at least
14 one (1) year;

15 (4) Parent left solo or alone with the responsibility of parenthood due to physical
16 and/or mental incapacity of the other spouse as certified by a public medical
17 practitioner;

18 (5) Parent left solo or alone with the responsibility of parenthood due to legal
19 separation or *de facto* separation from spouse for at least one (1) year, provided
20 he/she is entrusted with the custody of the children;

- 1 (6) Parent left solo or alone with the responsibility of parenthood due to declaration
2 of nullity or annulment of marriage as decreed by a court or by a church,
3 provided he/she is entrusted with the custody of the children;
- 4 (7) Parent left solo or alone with the responsibility of parenthood due to
5 abandonment of spouse for at least one (1) year;
- 6 (8) Unmarried mother/father who has preferred to keep and rear her/his
7 child/children instead of having others care for them or giving them up to a
8 welfare institution;
- 9 (9) Any other person who solely provides parental care and support to a child or
10 children, provided said person was entrusted with the custody of the children;
- 11 (10) Any family member who assumes the responsibility as the head of the family
12 resulting from the death, abandonment, disappearance or prolonged absence of
13 the parents or solo parent.
- 14

15 A change in the status or circumstance of the parent claiming benefits under this Act,
16 such that he/she is no longer left alone with the sole responsibility of parenthood, shall
17 terminate his/her eligibility for these benefits. Said benefits shall cease to be available
18 by the end of the year when the parent was last deemed a solo parent as defined by this
19 act. PROVIDED, THAT, A SINGLE PARENT WHO IS RECEIVING SUPPORT FROM
20 THE CHILD'S OTHER PARENT SHALL NOT BE ELIGIBLE TO RECEIVE THE
21 BENEFITS UNDER SECTION 12-A OF THE ACT.

22

23 (b) "**Children**" - refer to those living with and dependent upon the solo parent for
24 support who are unmarried, unemployed and not more than eighteen (18) years of age,
25 or even over eighteen (18) years but are incapable of self-support because of mental
26 and/or physical defect/disability.

27

28 (c) "**Parental Responsibility**" - with respect to their minor children shall refer to the
29 rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as
30 amended, otherwise known as the "Family Code of the Philippines."

31

32 (d) "**Parental leave**" - shall mean leave benefits granted to a solo parent to enable
33 him/her to perform parental duties and responsibilities where physical presence is
34 required.

35

1 (e) "Flexible work schedule" - is the right granted to a solo parent/employee to vary
2 his/her arrival and departure time without affecting the core work hours as defined by
3 the employer.

4

5 **SEC. 2.** Section 8 of the Act is likewise amended to read as follows:

6

7 "Section 8. Parental Leave - In addition to leave privileges under existing laws,
8 parental leave of not more than seven (7) working days WITH PAY every year shall be
9 granted to any solo parent employee who has rendered service of at least one (1) year."

10

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

12

13 "SECTION 12-A. ADDITIONAL BENEFITS. - IN ADDITION TO THE FOREGOING
14 BENEFITS, SOLO PARENTS WHO HAVE BEEN QUALIFIED AS SUCH BY THE
15 DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHALL
16 LIKEWISE BE ENTITLED TO THE FOLLWOING ADDITIONAL BENEFITS:

17

18 (1) TEN PERCENT (10%) DISCOUNT FROM ALL PURCHASES OF CLOTHING
19 AND CLOTHING MATERIALS FOR THE CHILD MADE WITHIN A PERIOD
20 OF UP TO TWO (2) YEARS FROM THE CHILD'S BIRTH;

21 (2) FIFTEEN PERCENT (15%) DISCOUNT FROM ALL PURCHASES OF BABY'S
22 MILK, FOOD AND FOOD SUPPLEMENTS MADE WITHIN A PERIOD OF
23 TWO (2) YEARS FROM THE CHILD'S BIRTH;

24 (3) FIFTEEN PERCENT (15%) DISCOUNT FROM ALL PURCHASES OF
25 MEDICINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE
26 CHILD MADE WITHIN A PERIOD OF FIVE (5) YEARS FROM THE CHILD'S
27 BIRTH; AND

28 (4) BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE
29 AMOUNT OF FIFTY THOUSAND PESOS (PHP 50,000.00) IN ADDITION TO
30 THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR
31 HIS/HER DEPENDENT CHILD OR CHILDREN.

32

33 COMPANIES OR BUSINESSES FROM WHOM DISCOUNTED PURCHASES ARE
34 MADE AS PER THE IMMEDIATELY FOREGOING SECTION SHALL BE ENTITLED
35 TO CLAIM THE SAID DISCOUNTS AS PART OF THEIR BUSINESS EXPENSE,

1 PROVIDED THAT, THEY MAINTAIN DETAILED AND SEPARATE RECORDS OF
2 SAID PURCHASES.”

3
4 **SEC. 4.** There shall also be created and inserted Section 13-A to read as follows:

5
6 **“SECTION 13-A. PENALTIES -** ANY PERSON OR COMPANY WHO VIOLATES THE
7 PROVISIONS OF THIS ACT BY DENYING OR HINDERING A SOLO PARENT FROM
8 AVAILING OF ANY OF THE BENEFITS OF THIS ACT SHALL BE PENALIZED BY A
9 FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (PHP 50,000.00) FOR THE
10 FIRST VIOLATION; ONE HUNDRED THOUSAND PESOS (PHP 100,000.00) FOR THE
11 SECOND VIOLATION; AND TWO HUNDRED THOUSAND PESOS (PHP 200,000.00)
12 FOR THE THIRD VIOLATION.

13
14 IN ADDITION TO SAID FINE, THE SAID BUSINESS MAY BE ORDERED CLOSED BY
15 THE APPROPRIATE IMPLEMENTING AGENCY.”

16
17 **SEC. 5. Rules and Regulations by the Interagency Committee.** Within a period of not
18 more than sixty (60) days from the effectivity of this Act, the Inter-agency Committee
19 created by the Act shall come up with the rules and regulations necessary for the proper
20 implementation of the amendments to the same.

21
22 **SEC. 6. Repealing Clause -** all laws, decrees, executive orders, administrative orders or
23 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended
24 or modified accordingly.

25
26 **SEC 7. Separability Clause -** If any provision of this Act is held invalid or
27 unconstitutional, other provisions not affected thereby shall continue to be in full force
28 and effect.

29
30 **SEC 8. Effectivity Clause -** This Act shall take effect fifteen (15) days following its
31 complete publication in the Official Gazette or in at least two (2) newspaper of general
32 circulation.

33
34 Approved,