

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



Senate  
Office of the Secretary

14 DEC 17 P5:03

SENATE  
S. B. NO. **2521**

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Introduced by Senator Maria Lourdes Nancy S. Binay

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AN ACT GRANTING PATERNITY LEAVE BENEFITS TO MEMBERS OF THE  
ARMED FORCES OF THE PHILIPPINES

EXPLANATORY NOTE

Republic Act No. 8187, otherwise known as Paternity Leave Act of 1996 grants male employees in public and private sectors paternity leave benefits. However, the same paternity leave benefit has not been granted to members of the Armed Forces of the Philippines.

This bill seeks to rationalize our social legislation by providing statutory paternity leave benefits to male members of the Armed Forces of the Philippines. The proposal is likewise consistent with the provisions of the 1987 Philippine Constitution which recognizes the sanctity of family life, and the duty of the state to strengthen the family, to wit:

**“Article II**

Declaration of Principles and State Policies

X X X

**Section 12.** The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.

X X X

**Article XV**

Family

**Section 1.** The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

X X X.”

In view of the foregoing, the passage of this bill is earnestly recommended.

A handwritten signature in black ink, appearing to read 'M. Binay', with a stylized flourish extending to the right.

MARIA LOURDES NANCY S. BINAY  
Senator



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2 ARMED FORCES OF THE PHILIPPINES  
3

4 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*  
5 *assembled:*  
6

7 SECTION 1. Notwithstanding any law, rules and regulations to the contrary, every married  
8 male member of the Armed Forces of the Philippines in active service shall be entitled to a  
9 paternity leave of fifteen (15) days with full pay for the first four (4) deliveries of the  
10 legitimate spouse with whom he is cohabiting; provided that, in times of national emergency,  
11 the paternity leave benefit may be reduced to such number which shall not be less than seven  
12 (7) days. The male member of the Armed Forces of the Philippines applying for paternity  
13 leave shall notify the office of the Chief of Staff of the pregnancy of his legitimate spouse  
14 and the expected date of such delivery.  
15

16 SECTION 2. *Paternity Leave Benefits.* The paternity leave refers to the benefits granted to  
17 married male members of the Armed Forces of the Philippines allowing him not to report for  
18 work or service, but continue to earn the compensation therefor, on the condition that his  
19 spouse has delivered a child or suffered a miscarriage. For purposes of this Act, Delivery  
20 shall include childbirth or any miscarriage.  
21

22 SECTION 3. *Nondiminution Clause.* Nothing in this Act shall be construed to reduce any  
23 existing benefits of any form granted under existing laws, decrees, executive orders or any  
24 policy between employer and employee.  
25

26 SECTION 4. *Implementing Rules and Regulations.* The Armed Forces of the Philippines, the  
27 Department of National Defense, and the Department of Health shall, within ninety (90) days  
28 from the effectivity of this Act, issue such rules and regulations necessary for the proper  
29 implementation of the provisions hereof.  
30

31 SECTION 5. *Repealing Clause.* All laws, ordinances, rules, regulations, issuances, or parts  
32 thereof which are inconsistent with this Act are hereby repealed or modified accordingly.  
33

34 SECTION 6. *Effectivity.* This Act shall take effect (15) days from its publication in the  
35 Official Gazette or in at least two (2) newspapers of general.  
36

37 Approved,