

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

'04 JUN 30 P10:36

SENATE

S.B. No. 975

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Introduced by Senator Jinggoy Ejercito Estrada

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### EXPLANATORY NOTE

Art. XV, Section 1 of the 1987 Constitution expressly provides, thus:

"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."

This and a number of other provisions clearly reveal the pro-family bias of the highest law of the land.

The President of the Philippines has set the tone for according emphasis on the family by declaring the year 1988 as the Year of the Family and by the enactment of Executive Order No. 209 as amended, otherwise known as the Family Code, which codified the laws affecting and relating to the family.

What remains to be done now is to provide the appropriate structural support which will make possible the attainment of the State goals of strengthening the solidarity and promoting the total development of the family.

At present, there is one government agency, the Bureau of Family and Community Welfare, which specifically deals with the family. The said Bureau is charged with extending "assistance" to socially-disadvantaged families and communities including family planning, planning outreach programs to develop their capability in defining needs and formulating solutions as well as setting up viable community structures which bring about desired social changes." (Executive Order No. 123, Sec. 13 (b). From its mandate, it is seen that this Bureau is concerned only with a limited clientele - the socially disadvantaged families. Admittedly, other executive Departments would have some programs for the family. But these programs, like those of the Bureau of Family and Community Welfare are targeted only at limited beneficiaries, such as the programs of the Department of Agriculture for the agricultural families. Obviously, there is a NEED for an agency that will be mainly responsible for recommending policies that will effectuate the family-related provisions of the Constitution and for the monitoring of the programs on the family of the line departments concerned.

This bill, therefore, proposes the creation of a Commission on the Family which will undertake these functions, among others. It is hope that the presence of this Commission will ensure some direction in the formulation of policies and in the implementation of programs on the family.

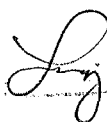
After all, the Filipino Family as the entry point and focus of government programs, could perhaps be a key to the country's bid for stability and economic recovery and to hasten the achievement of our long-sought for objectives of national peace and unity.



JINGGOY EJERCITO ESTRADA  
Senator

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AN ACT  
PROVIDING FOR THE CREATION OF A COMMISSION ON THE FAMILY

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

SECTION 1. **Creation of the National Commission on the Family.** - There is hereby created the Commission on the Family, hereinafter referred to as the Commission, under the Office of the President, which shall be responsible for formulating and recommending policies and programs to strengthen the solidarity and to promote the total development of the Filipino family as the foundation of the nation.

SECTION 2. **Functions of the Commission.** - The Commission shall have the following powers and functions:

- (a) To undertake studies on the Filipino family, including a periodic review and evaluation of the various issues and problems that currently confront it;
- (b) To monitor compliance with, and periodically assess the impact of government programs, policies, laws, and regulations relating to the family, women and children;
- (c) To recommend measures that will strengthen the solidarity of the family and promote the total development thereof without prejudice to internationally accepted individual rights in conventions or treaties as adopted or may be ratified by the Philippines;
- (d) To periodically prepare a Family Development Plan as part of the general development plan of the Philippines;
- (e) To undertake studies of international agreements and developments pertaining to the family, women, and children and recommend appropriate action thereon;

- (f) To monitor compliance with existing international agreements and conventions on the family, women and children to which the Philippines may be a party;
- (g) To develop a data bank on information relating to the family;
- (h) To undertake education and information dissemination program on the family; and
- (i) To receive donations, gifts, legacies, bequests, contributions or any forms of support from the public or private individuals and institutions.

**SECTION 3. *Board of Commissioners.*** - All powers and duties of the Commission shall be vested in and exercised by a Board of Commissioners, hereinafter referred to as the Board.

The Board shall consist of a Chairman and six (6) other members appointed by the President, who are of good moral character, of recognized standing in the community, and with expertise in social work, community development, sociology, psychology, domestic relations, family and matrimonial relations law, guidance counselling, or other similar fields: Provided, That the following sectors shall be represented: the youth, the women, the cultural communities and the academe.

The Chairman and members of the Commission shall receive no compensation for their services but they shall receive per diem of Three hundred pesos (P300.00) each per meeting plus the necessary traveling expenses incurred in the discharge of their duties as members of the Commission.

**SECTION 4. *Powers and Duties of the Board,*** - The Board shall have the following powers and duties:

- (a) To formulate, implement, and evaluate the activities and programs of the Commission;
- (b) To determine and create the organizational structure of the staff of the Commission;
- (c) To prescribe policies, adopt plans and programs, formulate rules and regulations and establish procedures governing the operation of the Commission;
- (d) To approve the annual or supplemental budgets of the Commission; and
- (e) To perform such other duties and functions as may be assigned by the President or as may be deemed necessary by the Board to carry out the objectives of the Commission.

SECTION 5. **Chairman of the Board. - Powers, functions and duties.** - The Chairman shall have the following powers and duties:

- (a) To call and preside over the meetings of the Board;
- (b) To solicit and accept, on behalf of the Commission, gifts, grants or donations;
- (c) To constitute special committees composed of members of the Board or such individuals who are considered experts in the projects undertaken by the Commission; and
- (d) To perform such other duties as may be assigned by the President.
- (e)

SECTION 6. **Meetings of the Board of Commissioners.** - The Board shall meet regularly once a month and as often as necessary upon the request of the Chairman or at least three (3) members of the Board.

SECTION 7. **Staff.** - A staff shall be created by the Board to provide technical support to the Board. The staff shall be headed by an Executive Director whose duties and responsibilities shall be determined by the Board. The composition of the staff shall be determined by the Board in accordance with its needs and subject to the availability of funds of the Commission. The staff and other personnel of the Commission shall be appointed in accordance with the Civil Service Law, Rules and Regulations. Their salaries and other emoluments shall be in accordance with Republic Act No. 6758.

SECTION 8. **Donations** . - The Commission shall be authorized to receive grants, donations or gifts in whatever form and from whatever source: Provided, That such grants, gifts or donations shall be administered, obligated and disbursed in accordance with the terms thereof or, in the absence of such terms, in such manner as the Board may determine Provided, further, That the utilization of said grants or donations shall be subject only to such limitations as the grantor or donor may impose and such limitations as the grantor or donor may impose and such limitations are accepted by the Commission: Provided, furthermore, That not more than five percent (5%) of the amounts received by way of donations, gifts and grants, shall be used for salaries, compensation, allowances and prerequisites of any nature, of members and personnel of the Commission: Provided, finally, That expenditures made from all funds and donations received by the Commission, whether from government or from private sources , shall be subject to existing auditing laws, rules and regulations pertaining to government agencies.

SECTION 9. **Funding.** - The sum of Three million pesos (P3,000,000.00) is hereby authorized to be appropriated as the initial funding of the Commission for the first year.

Thereafter, the President shall include in the annual General Appropriations Act such amounts as may be necessary to support the operations and finance the projects of the Commission,

SECTION 10. **Assistance from Government Offices.** - The Commission may call upon any department, bureau, office or agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as may be needed to achieve its purposes and objectives.

SECTION 11. **Reports.** - Within two (2) months after the end of each calendar year and as often as may be required, the Commission shall submit to the President and to Congress its annual report embodying its activities, accomplishments and recommendations.

SECTION 12. **Repealing Clause.** - All laws, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 13. **Separability Clause.** - If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provision shall be affected thereby.

SECTION 14. **Date of Effectivity.** - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,