

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

'04 JUN 30 P10:13

SENATE
S.B. No. 985

RECEIVED BY 

Introduced by Senator JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The State recognizes the vital role of women in nation building and shall ensure the fundamental equality before the law of men and women.

This bill seeks to grant unmarried women with one or more illegitimate or legally adopted children living with and dependent upon her for their chief support, where such children are not more than twenty-one (21) years of age, unmarried and not gainfully employed or where such children, regardless of age are incapable of self-support because of mental or physical defect, basic personal exemption of THIRTY-TWO THOUSAND PESOS (P32,000.00) and additional exemption of EIGHT THOUSAND PESOS (P8,000.00) for each dependent not exceeding four (4), the same exemptions granted to married women under Section 35, Paragraph A and Paragraph B of the National Internal Revenue Code of 1997.

Under the National Internal Revenue Code of 1997, an unmarried woman with children falls under the category of "head of the family" with a basic personal exemption of TWENTY FIVE THOUSAND PESOS (P25,000.00). It does not grant additional exemption of EIGHT THOUSAND PESOS (P8,000.00) for her children. This has restricted her economic mobility and added more strain to her difficult situation of providing for the financial needs of her family single handedly. What the present revenue code grants to married woman with dependents should also be granted to these single mothers, for after all, both are doing the same role that of being a mother.

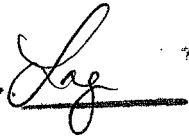
Considering the significance of this measure to all mothers who play a crucial role in molding the youth for the future of the society and the progress of the country as well, its approval is strongly recommended.


JINGGOY EJERCITO ESTRADA
Senator

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

'04 JUN 30 P10:13

SENATE
S.B. No. 985

RECEIVED BY 

Introduced by Senator JINGGOY EJERCITO ESTRADA

AN ACT

GRANTING UNMARRIED WOMEN WITH CHILDREN SAME BASIC PERSONAL EXEMPTION AND ADDITIONAL EXEMPTION FOR DEPENDENTS AS ENJOYED BY MARRIED WOMEN AMENDING FOR THE PURPOSE THE NATIONAL INTERNATIONAL REVENUE CODE OF 1997.

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

SECTION 1. Paragraph (A) of Section 35 of the National Internal Revenue Code of 1997 is hereby amended by adding a new subsection to be denominated as subsection (d) to read as follows:

Sec. 35 Allowances of Personal Exemption for Individual Taxpayers. –

(A) In General – For purpose of determining the tax provided in Section 24 (A) of this Title, there shall be allowed a basic personal exemption as follows:

“For single individual or married individual judicially decreed as legally separated with no qualified dependents	P 20,000.00
“For head of family”	P 25,000.00
“For each married individual”	P 32,000.00
“FOR EACH UNMARRIED WOMAN WITH CHILDREN”	P 32,000.00

SECTION 2. Paragraph (B) of Section 35 of the National Internal Revenue Code of 1997 is hereby amended by adding a new subparagraph to be denominated as subparagraph (b) to read as follows:

Sec. 35. Allowance of Personal Exemption for Individual Taxpayer.

(B) Additional Exemption for Dependents. – There shall be allowed an additional exemption of EIGHT THOUSAND PESOS (P8,000.00) for each dependent not exceeding four (4).

“The additional exemption of dependents shall be claimed by only of the spouses in the case of married individuals.”

“UNMARRIED WOMEN SHALL CLAIM ADDITIONAL EXEMPTION OR THE CHILD/CHILDREN: *PROVIDED*, THAT THE TOTAL AMOUNT OF ADDITIONAL EXEMPTIONS THAT MAY BE CLAIMED SHALL NOT EXCEED THE MAXIMUM ADDITIONAL EXEMPTIONS HEREIN ALLOWED.

“In the case of legally separated spouses, additional exemptions may be claimed only by the spouse who has custody of the child or children: *Provided*, that the total amount of additional exemptions that may be claimed by both shall not exceed the maximum additional exemptions herein allowed.”

“For the purpose of this Subsection, a ‘dependent’ means legitimate, illegitimate or legally adopted child chiefly dependent upon and living with the taxpayer if such dependent is not more than twenty-one (21) years of age, unmarried and not gainfully employed or if such dependent, regardless of age, is incapable of self support because of mental or physical defect.”

SECTION 3. This act shall take effect upon its approval.

Approved.