




'17 JAN 17 AM 53

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

RECEIVED BY: 

SENATE

S. B. No. 1296

Introduced by Senator JOEL VILLANUEVA

AN ACT
REQUIRING THE PROVISION OF INFANT-FRIENDLY FACILITIES IN
GOVERNMENT AGENCIES AND MAJOR ESTABLISHMENTS OF THE
PHILIPPINES

EXPLANATORY NOTE

The Filipino Family, as mandated in the 1987 Constitution, is the foundation of the nation,¹ and the State shall ensure that it passes laws that strengthen this fundamental unit of our country.

As such, the law operates within a realm of practicality and experience. In order to ensure that the Filipino family maintains strong ties, parents and guardians have to be provided with a general societal environment that recognizes their daily struggles and needs in rearing and raising children.

Thus, this bill is being introduced in order to ensure that all Filipino citizens with infants and children will be provided a fundamental access to facilities that will assist them in spending time and raising their families. This bill integrates previously proposed and drafted legislation² by the late Senator Miriam Defensor-Santiago to require diaper changing stations in restrooms or facilities accessible to both men and women. Further,

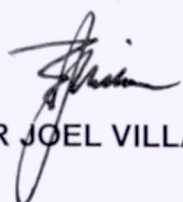
¹ 1987 Constitution, Article XV, Section 1.

² Senate Bill No. 2704, entitled "AN ACT PROVIDING FOR DIAPER-CHANGING STATIONS IN RESTROOMS OF ALL MAJOR ESTABLISHMENTS AND GOVERNMENT OFFICES" filed by Senator Miriam Defensor-Santiago on March 17, 2015.

this bill requires that all food establishments provide access to infant-friendly seating for their patrons.

With this bill, all Filipino families will recognize that the Philippine government is their partner in providing safe, enjoyable and worthwhile quality time for them and their infants and young children.

The immediate passage of this bill is earnestly sought.



SENATOR JOEL VILLANUEVA



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

'17 JAN 17 A11 53

RECEIVED BY: _____

SENATE

S. B. No. 1296

Introduced by SENATOR JOEL VILLANUEVA

**AN ACT
REQUIRING THE PROVISION OF INFANT-FRIENDLY FACILITIES IN
GOVERNMENT AGENCIES AND MAJOR ESTABLISHMENTS OF
THE PHILIPPINES**

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "Infant-Friendly Facilities
2 Act of 2017."

3
4 **SECTION 2. Declaration of Policy.** - The State recognizes that all Filipinos are
5 entitled to access to convenient facilities that will enable them to properly undertake
6 their respective responsibilities of childcare. The State is mandated to ensure that
7 these facilities are sanitary, safe and readily available for all persons, and that all
8 private and public establishments comply with these conditions for the benefit of the
9 general public.

10
11 The State further recognizes the collective need for ensuring that families with
12 infants or children are entitled to facilities that will cater to their needs of specialized
13 seating for their ease and convenience, without requiring these families to procure
14 additional equipment for their infants or young children.

15
16 **SECTION 3. Definition of Terms.** - The following terms shall be used in this Act:

17
18 (A) "Common Seating" shall refer to the actual number of seats
19 available for customers of a particular food service establishment.

20 (B) "Child-Friendly Seating" shall refer to high chairs or any seating
21 apparatus that will be used to allow infants or children to be seated at
22 tables or counters at an elevated distance from the ground.

1 (C)“Early-stage child” shall mean any child of any age whose size
2 and developmental stage allows placement in child-friendly seating
3 equipment.

4 (D)“Diaper-changing station” shall mean an area where a person
5 can change the diapers of a child. The station shall accommodate at
6 least a 20-pound child and shall have a trash bin for the disposal of
7 diapers. It shall also have hand washing facilities, in good repair and
8 working.

9 (E) “Food Service Establishment” shall mean any privately owned
10 facility business, firm or enterprise that is primarily oriented towards the
11 provision of food services from its customers, the general public. These
12 include restaurants, eateries or other facilities that are contained within
13 malls or other larger structures, as well as those establishments that
14 have their own independent infrastructure. This does not apply to food
15 service establishments that operate as nightclubs or bars that do not
16 permit anyone who is under 18 years of age to enter the premises.

17 (F) “Major establishments” shall mean malls, shopping centers,
18 theaters or movie houses, convention centers, sports arenas,
19 auditoriums, cultural complexes, exhibition halls, permanent
20 amusement parks, health facilities, restaurants that can seat 50 people
21 or more, gasoline stations that have restrooms opened to the public,
22 and establishments measuring 25,000 feet or more. This does not
23 apply to an industrial building or to a nightclub or bar that does not
24 permit anyone who is under 18 years of age to enter the premises. This
25 section also does not apply to a restroom located in a health facility if
26 the restroom is intended for the use of one patient or resident at a time.

27 (G) “Government offices” shall mean all local and national
28 government offices, agencies, and government owned and controlled
29 corporations.

30 (H) “Patrons” refer to any individual or group that avails of any of the
31 offered food, as well as the services of the food service establishment.

32 I. ACCESS TO CHILD FRIENDLY SEATING

33 **SECTION 4. *Provision of Child-Friendly Seating*** – Food service establishments
34 are required to have, at all times, child-friendly seating equipment for patrons that
35 have at least one (1) early-stage child present with them at the time that they procure
36 the food or services of the establishment.

37 **SECTION 5. *Proportion of Child-Friendly Seating to Common Seating*** - Owners
38 and managers of food service establishments must ensure that they will be able to

1 provide a proportion of at least one (1) child friendly seat for every ten (10) common
2 seats available

3

4 **II. ACCESS TO DIAPER-CHANGING STATIONS FOR MEN'S AND WOMEN'S**
5 **RESTROOMS**

6 **SECTION 6. *In General.*** - There shall be at least one safe, sanitary, and
7 convenient baby diaper-changing station that is accessible to restrooms used
8 exclusively by women and restrooms used exclusively by men, or at least one safe,
9 sanitary, and convenient baby diaper-changing station that is accessible to both men
10 and women in all major establishments and government offices.

11 **SECTION 7. *Exceptions.*** - Section 6 shall not apply if the local building inspector
12 determines that the installation of a baby diaper-changing station is not feasible or
13 would result in a failure to comply with applicable building standards governing the
14 right of access for persons with disabilities. This provision shall also not apply to a
15 restaurant with a seating capacity of 50 people, if there is a centrally located facility
16 with a baby diaper changing station located within 300 feet of the entrance to the
17 restaurant.

18 **SECTION 8. *Implementation.*** - The Department of Health is mandated to provide
19 the Implementing Rules and Regulations of this law.

20 **SECTION 9. *Penalties.*** - Major establishments that fail to comply with the 15
21 provisions of this Act within one year from its enactment shall be meted with a
22 warning. Major establishments that fail to comply with the provisions of this Act six
23 months after being issued a warning shall pay two thousand pesos (~2,000) for
24 every succeeding month until compliance is made.

25 **SECTION 10. *Separability Clause.*** - If any provision or part hereof, is held invalid or
26 unconstitutional, the remainder of the law or the provision not otherwise affected
27 shall remain valid and subsisting.

28 **SECTION 11. *Repealing Clause.*** - Any law, presidential decree or issuance, 23
29 executive order, letter of instruction, administrative order, rule or regulation contrary
30 to or inconsistent with, the provisions of this Act is hereby repealed, modified, or
31 amended accordingly.

32 **SECTION 12. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after 4
33 its publication in at least two (2) newspapers of general circulation.

34 Approved,