



Senate
Office of the Secretary

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

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SENATE

RECEIVED BY:

S.B. No. 1327

Introduced by Senator **SONNY ANGARA**

AN ACT PROVIDING FOR A MAGNA CARTA OF THE POOR

EXPLANATORY NOTE

Poverty incidence among Filipinos in the first semester of 2015 was estimated at 26.3 percent. This translates to about 26.48 million Filipinos, based on the Philippine population in 2015 of 100.7 million. On the other hand, subsistence incidence among Filipinos, or the proportion of Filipinos whose income fall below the food threshold, was estimated at 12.1 percent or about 12.18 million Filipinos. The subsistence incidence rate indicates the proportion of Filipinos living in extreme poverty.¹

Based on the July 2015 report by the Economist Intelligence Unit (EIU), despite the faster economic growth enjoyed during the past few years, the poverty rate in the Philippines will still be high as the gap between the poor and the rich widens. By 2019, it is projected that the Philippines will remain one of Southeast Asia's poorest economies, with a lower level of gross domestic product (GDP) per head than the majority of the region's other major economies. Large numbers of Filipinos will continue to live in poverty.²

This bill seeks to uplift the lives of the impoverished through employment, feeding programs, housing, health care and education. Under the bill, all government agencies are mandated to formulate its own poverty reduction plan with utmost consideration to the following fundamental rights of the poor: right to adequate food, decent work, relevant and quality education, adequate housing, and the highest standard of mental and physical health.

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

SONNY ANGARA

¹ <https://psa.gov.ph/content/poverty-incidence-among-filipinos-registered-263-first-semester-2015-psa>

² <http://pages.eiu.com/rs/783-XMC->

[194/images/EIU_JULY_Report_EmergingAsianMarkets_FINAL.pdf?mkt_tok=3RkMMJWWfF9wsRouva7JZKXonjHpfsX57+4vXqGg38431UFwdcjKpMjr1YQFTcZ0aPyQAgobGp5I5FEPQrPYRK1jt6QEXw](http://pages.eiu.com/rs/783-XMC-194/images/EIU_JULY_Report_EmergingAsianMarkets_FINAL.pdf?mkt_tok=3RkMMJWWfF9wsRouva7JZKXonjHpfsX57+4vXqGg38431UFwdcjKpMjr1YQFTcZ0aPyQAgobGp5I5FEPQrPYRK1jt6QEXw)



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AN ACT PROVIDING FOR A MAGNA CARTA OF THE POOR

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

1 **SECTION 1. Title.** – This Act shall be known as the **"Magna Carta of the Poor."**

2

3 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State to uplift the
4 standard of living and quality of life of the poor and provide them with sustained
5 opportunities for growth and development. It shall adopt an area-based, sectoral, and
6 focused intervention to poverty alleviation where every poor Filipino family must be
7 empowered to meet their minimum basic needs, through the partnership of the
8 government and the basic sectors. It is likewise vital that the State complies with its
9 international obligations to eradicate extreme poverty and hunger; achieve universal
10 primary education; promote gender equality and empowerment of women; reduce child
11 mortality improve maternal health; combat Human Immunodeficiency Virus/Acquired
12 Immune Deficiency Syndrome (HIV/AIDS), malaria and other diseases; and ensure
13 environmental sustainability and development of a global partnership for development.

14 To attain the foregoing policy:

15 (a) The government shall prioritize investments in anti-poverty programs to
16 enable the poor to fully participate in the Country's growth and development;

17 (b) All departments, agencies and instrumentalities of the government shall
18 provide full access of its services to the poor;

19 (c) The government shall strengthen interventions to address the genuine
20 concerns of the poor and shall institutionalize long-term strategies and
21 solutions for the empowerment of the poor; and

22 (d) Government strategies shall enhance and promote the capabilities and
23 competencies of the basic sectors, the nongovernment organizations (NGOs)
24 and people's organizations (POs), as development partners of the

1 government for the effective delivery and implementation of a wide range of
2 anti-poverty programs and basic services.

3
4 **SEC. 3. Definition of Terms.** – As used in this Act:

- 5 (a) *Basic sectors* refer to the disadvantaged sectors of Philippine society
6 including farmer-peasants, artisanal fisher folk, workers in the formal sector
7 including migrant workers, workers in the informal sector, indigenous peoples
8 and cultural communities, women, persons with disability, senior citizens,
9 victims of calamities and natural and human-induced disasters, youth and
10 students, children, the urban poor and members of cooperatives;
- 11 (b) *Development partners* refer to NGOs, POs and private corporations that are
12 engaged in programs and activities aimed at alleviating the condition of the
13 poor;
- 14 (c) *Hazardous/danger zones* refer to areas which, when occupied for residential
15 or business purposes, pose a danger to the life and safety of the occupants or
16 of the general public;
- 17 (d) *Nongovernment organizations (NGOs)* refer to duly registered non-stock,
18 nonprofit organizations focusing on the upliftment of the basic sectors of
19 society by providing advocacy, training, community organizing, research,
20 access to resources, protection of the environment and conservation of
21 natural resources and other similar activities;
- 22 (e) *People's organizations (POs)* refer to self-help groups belonging to the basic
23 sectors composed of members having a common bond of interest who
24 voluntarily join together to achieve a lawful common social or economic end;
- 25 (f) *Poor* refers to individuals or families whose income falls below the poverty
26 threshold as defined by the National Economic and Development Authority
27 (NEDA) and/or who cannot afford in a sustained manner to provide their
28 minimum basic needs of food, health, education, housing, or other essential
29 amenities of life; and
- 30 (g) *National Poverty Reduction Plan* refers to the aggregation and consolidation
31 of sectoral and local plans through a bottom-up approach, from the Local
32 Poverty Reduction Action Plan towards the formulation of the national plan.

33
34 **SEC. 4. Scope of the Fundamental Rights of the Poor.** – The government shall
35 establish a system of progressive realization or implementation to provide the
36 requirements, conditions and opportunities for the full enjoyment of the following rights
37 of the poor, which are essential requirements towards poverty alleviation:

1 (a) The **Right to Adequate Food** is the right of individuals or families to have
2 physical and economic access to adequate and healthy food, or the means to procure it.
3 The Department of Social Welfare and Development (DSWD), the Department of
4 Agriculture (DA), and other implementing agencies concerned shall:

5 (1) Undertake necessary actions to mitigate and alleviate hunger
6 especially in times of calamities/natural and human-induced disasters;

7 (2) Fully implement and maintain supplementary feeding programs in day
8 care centers and schools;

9 (3) Ensure the availability, accessibility and sustainability of food supplies
10 in a quantity and quality sufficient to meet the dietary needs of poor individuals
11 and families; and

12 (4) Proactively engage the poor in activities intended to promote their food
13 self-sufficiency and strengthen their access to resources and means to ensure
14 food security.

15
16 (b) The **Right to Decent Work** is the right to the opportunity to obtain decent and
17 productive employment in conditions of freedom, equity, security and human dignity.
18 The Department of Labor and Employment (DOLE) and other implementing agencies
19 concerned shall:

20 (1) Ensure that the poor shall have access to information regarding
21 employment openings in private enterprises and in government programs and
22 projects especially regarding available emergency employment opportunities for
23 families displaced by calamities/natural and human-induced disasters or
24 relocated from hazardous/danger zones;

25 (2) Ensure the compliance of private contractors and subcontractors doing
26 national and local public work projects, funded by either the national government
27 or any local government unit (LGU), to fill in thirty percent (30%) of the skilled
28 labor requirements by qualified workers who come from the poor sector and who
29 are residents of the LGUs where these projects are undertaken: Provided, That
30 where the number of available resources is less than the required percentage
31 provided therein, said requirements shall be based on the maximum number of
32 locally available labor resources and shall be certified by the municipal, city,
33 provincial or district engineer as sufficient compliance with the labor requirements
34 under this Act;

35 (3) Promote livelihood among the poor. These implementing agencies
36 shall provide technical and administrative support to help the poor establish their
37 livelihood enterprise using loans obtained from them;

1 (4) Ensure compliance with core labor standards, address the job and
2 skills mismatch, and enhance human capital through education and training; and

3 (5) Provide an environment for more inclusive tri-partism to achieve more
4 broad-based representation of interests and make decision-making highly
5 participatory through social dialogue at the firm and industry levels.
6

7 (c) The **Right to Relevant and Quality Education** is the right to attain the full
8 development of the human person. The Department of Education (DepEd), the
9 Commission on Higher Education (CHED) and the Technical Education and Skills
10 Development Authority (TESDA), in coordination with development partners concerned,
11 shall:

12 (1) Maintain a system of free public education in the kindergarten,
13 elementary and high school levels;

14 (2) Make higher education accessible to all poor individuals and families.
15 They shall expand the programs of providing socialized college education to the
16 poor, including student loans or study-now-pay-later plans, in state/local
17 universities and colleges: Provided, That the students qualify and maintain good
18 academic standing; and

19 (3) Ensure access to quality technical vocational education and training
20 through scholarships, subsidies and financial assistance to ensure access to
21 decent and productive employment, subject to compliance to qualification
22 requirements and availability of funds.
23

24 (d) The **Right to Adequate Housing** is the right to have a decent, affordable,
25 safe and culturally appropriate place to live in, with dignity, security of tenure, in peace,
26 with access to basic services, facilities, and livelihood. The Housing and Urban
27 Development Coordinating Council (HUDCC) and other implementing agencies
28 concerned shall:

29 (1) Prioritize the implementation of the socialized housing program with
30 identified appropriate subsidies;

31 (2) Immediately construct and provide housing facilities for families living
32 in identified hazardous/danger zones where the housing needs of the poor are
33 urgent;

34 (3) Create an enabling environment that will assist the poor gain access to
35 security of tenure with the least financial burden; and

36 (4) Provide a system consisting of simple requirements and procedures,
37 and expeditious processing and approval especially for community-based
38 socialized housing/people's proposals.

1
2 (e) The **Right to the Highest Attainable Standard of Mental and Physical**
3 **Health** is the right to have equitable access to a variety of facilities, goods, services and
4 conditions necessary for the realization of the highest attainable standard of health. The
5 Department of Health (DOH) and other implementing agencies concerned shall:

6 (1) Ensure equitable access to a system of good quality health care and
7 protection that is also available, accessible, and acceptable to the poor;

8 (2) Provide for comprehensive, universal, culture-sensitive, and gender-
9 responsible health services and programs, which include:

10 (i) maternal and child health care and nutrition;

11 (ii) access to ethical legal, medically safe and effective reproductive
12 health services and supplies;

13 (iii) promotion of breastfeeding;

14 (iv) prevention and management of reproductive tract infections,
15 sexually transmitted diseases, HIV and AIDS;

16 (v) provision of immunization against major infectious diseases
17 occurring in the community; and

18 (vi) prevention, treatment and control of epidemic and endemic
19 diseases;

20 (3) Reduce the financial burden of health care and protection of the poor
21 through a socialized health Insurance program with the end view of totally
22 eliminating out of pocket expenses; and

23 (4) Provide health- related education and information to the community.
24

25 **SEC. 5. Non-Diminution of the Rights of the Poor.** – All other rights of the poor
26 provided under existing laws shall remain in full force and effect. Nothing herein shall be
27 construed in a manner that will diminish the enjoyment of such rights by the poor who
28 shall have the right to avail of greater rights offered by existing laws, including those
29 granted under this Act.
30

31 **SEC. 6. Social Protection.** – The government shall build an effective social protection
32 system to ensure the protection of the poor from any risk or contingency. The system
33 shall include social insurance, safety nets, social welfare, and labor market
34 interventions, which are affordable and accessible. This social protection shall likewise
35 be afforded in and during bilateral and multilateral negotiations, including arrangements
36 to be entered into with international financial institutions.
37

1 **SEC. 7. System for Targeting of Beneficiaries.** – The NEDA shall design and
2 establish a single system of classification to be used for targeting beneficiaries of the
3 government's poverty alleviation programs and projects to ensure that such programs
4 reach the intended beneficiaries.

5
6 **SEC. 8. The National Poverty Reduction Plan (NPRP) and Enhanced Coordination
7 and Convergence among Government Agencies.** – All government agencies shall
8 formulate, within one hundred (100) days from the issuance of the rules and regulations
9 to implement this Act, a comprehensive and convergent plan to set the thresholds to be
10 achieved by the government for each of the recognized rights of the poor. This plan
11 shall consider all sectoral and local poverty reduction plans of each barangay,
12 municipality/city and province. The National Anti-Poverty Commission (NAPC), with the
13 technical assistance of the NEDA, shall be tasked to compile and harmonize these
14 plans, The Department of Budget and Management (DBM) shall likewise review the
15 NPRP for inclusion in the budget of implementing agencies.

16
17 **SEC. 9. Participation of the Basic Sectors and of the Local Government Units
18 (LGUs).** – The NAPC shall ensure that the basic sectors and the LGUs are engaged in
19 the formulation and in the implementation of the NPRP. The Department of the Interior
20 and Local Government (D1LG) shall monitor the compliance of the LGUs in aligning
21 their respective development, investment, and poverty reduction plans with the NPRP,
22 and in implementing the same.

23
24 **SEC. 10. Funding Requirements.** – The funding for the poverty alleviation programs
25 and projects implemented under this Act shall be sourced from the existing
26 appropriations as authorized under the General Appropriations Act of the different
27 departments and agencies implementing these programs including those enumerated
28 below:

- 29 (a) DSWD - Pantawid Pamilyang Pilipino Program (4Ps) and Sustainable
30 Livelihood Program (SLP);
31 (b) DOLE - Special Program for Employment of Students (SPES) and Tulong
32 Panghanapbuhay sa Ating Disadvantaged Workers "TUPAD" Project;
33 (c) TESDA - Skills Training, Private Education Student Financial Assistance
34 (PESFA) and the Training for Work Scholarship Program (TWSP);
35 (d) DepEd - Alternative Learning System (ALS) and Government Assistance to
36 Students and Teachers III Private Education (GASTPE);
37 (e) CHED - Student Financial Assistance Program (STUFAP);
38 (f) NHA - Socialized housing program;

- 1 (g) DOH - Basic health care services including potable water system; and
2 (h) PhilHealth - Expanded Primary Care Package for the Poor.
3

4 Allocations for the implementation of these programs and projects shall be given
5 preferential consideration in the funding allocation of the department/agency budget.
6 Any additional funds to the existing appropriations of the pro-poor programs in the
7 different departments and agencies shall be included in the General Appropriations Act
8 of the year following its enactment into law and thereafter.
9

10 **SEC. 11. *Private Sector Participation.*** – The private sector is highly encouraged to be
11 an active partner in the financing and implementation of poverty alleviation programs
12 and projects. The government agencies implementing these programs shall be
13 authorized to accredit development partners, who may accept donations, aids or grants,
14 in cash or in kind, from duly accredited sources, to meet the demands of and uphold the
15 basic rights of the poor to adequate food, decent work, relevant and quality education,
16 adequate housing, and the highest attainable standard of mental and physical health.
17 Acceptance and use of such donations, aids or grants, shall be transparent and subject
18 to government applicable regulations. The government shall recognize top performing
19 development partners.
20

21 **SEC. 12. *Tax Exemptions.*** – Any donation, contribution and grant which may be made
22 to the sponsored program shall be exempt from the donor's tax and shall be considered
23 as allowable deduction from the gross income in the computation of the income tax of
24 the donor in accordance with the provisions of the National Internal Revenue Code of
25 1997, as amended. The implementers of the socialized housing resettlement program
26 shall enjoy the incentives stated in Section 20 of Republic Act No. 7279, otherwise
27 known as the "Urban Development and Housing Act of 1992".
28

29 **SEC. 13. *Rational Allocation of Funds.*** – The DBM shall be principally responsible for
30 the efficient and rational allocation of available funds to the different government
31 departments and agencies to support the implementation of this Act.
32

33 **SEC. 14. *Implementation through a System of Progressive Realization.*** – Nothing
34 in this Act shall be construed in any manner as requiring the government to undertake
35 the immediate implementation of all poverty alleviation programs. The government shall
36 set programmatic standards to be achieved over time depending upon the availability of
37 necessary resources and in consideration of economic resource constraints.

1 **SEC. 15. *Compliance Report.*** – The NAPC shall be tasked to oversee and monitor
2 compliance with this Act. Within six (6) months from the effectivity of this Act and every
3 six (6) months thereafter, all implementing departments and agencies shall submit a
4 report to the NAPC on their respective compliance with the provisions of this Act which,
5 in turn, shall submit a compliance report to the house Committee on Poverty Alleviation
6 and to the Senate Committee on Social Justice, Welfare and Rural Development.

7

8 **SEC. 16. *Implementing Rules and Regulations.*** – Within six (6) months from the
9 effectivity of this Act, the NAPC shall, in coordination with the government departments
10 and agencies, with the participation of the LGUs and the basic sectors, promulgate rules
11 and regulations to carry out the provisions of this Act.

12

13 **SEC. 17. *Separability Clause.*** – If, for any reason, any section or provision of this Act
14 is declared unconstitutional or invalid, the other sections or provisions which are not
15 affected shall continue to be in full force and effect.

16

17 **SEC. 18. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations, rules
18 and regulations or parts thereof inconsistent herewith are repealed, amended, or
19 modified accordingly.

20

21 **SEC. 19. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
22 the Official Gazette or in a newspaper of general circulation.

23

24 *Approved,*