

SENATE

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S. No. 164

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INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
AMENDING REPUBLIC ACT 8972 OTHERWISE KNOWN AS THE ACT
PROVIDING FOR BENEFITS AND PRIVILEGES TO SOLO PARENTS AND THEIR
CHILDREN, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Raising a child is daunting, but raising a child alone carries a specific set of challenges and difficulties. In 2015, the Philippine Statistics Authority estimated that there were about three million solo parents — two million of whom were female. The Federation of Solo Parents has a member base of 80,000.

While significant inroads have been made by virtue of Republic Act No. 8972 or the Solo Parents' Welfare Act, there are still many things that need to be done and many reforms that can still be undertaken to alleviate the plight of solo parents, and to mitigate the disadvantages that children in solo parent households have to live with.

This bill introduces many innovations:

- It expands the definition of solo parents, notably to include spouses of low and semiskilled overseas Filipino workers, who are away from the Philippines for an unbroken period of one (1) year;
- It provides discounts to solo parents and their children for medical, educational and other basic needs, including tuition fees, as well as discounts on recreational activities;
- It provides for the creation of a Solo Parents Affairs Office in local government units;
- It mandates the creation of daycare facilities in companies with more than 100 employees.

The passage of this bill is earnestly sought.


RISA HONTIVEROS

Senator

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THEIR CHILDREN, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES

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 "EXPANDED Solo
2 Parents' Welfare Act of 2019."

3 Sec. 2. *Declaration of Policy.* — It is the policy of the State to promote the
4 family as the foundation of the nation, strengthen its solidarity and ensure its total
5 development. It is also the obligation of the State to adhere to international
6 agreements and national laws on families. Towards this end, it shall develop a
7 comprehensive package of social protection services for solo parents and their
8 children to be carried out by the Department of Social Welfare and Development
9 (DSWD), the Department of Health (DOH), the Department of Justice (DOJ) the
10 Department of Education (DEPED), the Department of the Interior and Local
11 Government (DILG), the Commission on Higher Education (CHED), the Technical
12 Education and Skills Development Authority (TESDA), the National Housing Authority
13 (NHA), the Department of Labor and Employment (DOLE), the Department of Trade
14 and Industry (DTI), the Bureau of Internal Revenue (BIR), the Civil Service
15 Commission (CSC), the National Economic Development Authority (NEDA), the
16 Philippine Commission on Women (PCW), the Philippine Health Insurance
17 Corporation (PHILHEALTH), the Union of Local Authorities (ULAP), and other
18 concerned government agencies and civil society organizations with recognized
19 credentials in providing services and advocacy for solo parents.

1 Sec. 3. *Definitions of Terms.* – Whenever used in this Act, the following terms
2 shall mean as follows;

3 a) "Solo parent" - any individual who falls under any of the following
4 categories;

5 a. A female who gives birth as a result of rape and other crimes
6 against persons even without a final conviction of the offender;
7 provided, that the mother has the custody of the child or
8 children and bears the sole parental responsibility;

9 b. Parent left solo or alone with the responsibility of parenthood
10 due the following circumstances;

11 i. Death of the spouse;

12 ii. Spouse is detained or is serving sentence for a criminal
13 conviction;

14 iii. Physical and/or mental incapacity of spouse as certified
15 by a public or private medical practitioner;

16 iv. Legal separation or de facto separation from spouse;

17 v. Declaration of nullity or annulment of marriage as
18 decreed by [a] the court recognized by law;

19 vi. Abandonment of spouse for at least six (6) months;

20 c. Actual custody, support, care and exercising sole parental
21 authority over his or her child or children instead of having
22 others care for them or give them up to a welfare institution;

23 d. Spouse of an overseas Filipino worker, provided that the said
24 OFW belongs to the low/semi-skilled worker category and is
25 away from the Philippines for an unbroken period of twelve (12)
26 months;

27 e. Any other person who bears sole parental responsibility over a
28 child or children, including a foster parent duly-recognized by
29 the DSWD, a legal guardian appointed by the court or a legal
30 single adoptive parent;

31 f. Any family member who bears sole parental responsibility as a
32 result of the death, abandonment, disappearance or prolonged
33 absence of the parent/s. In cases of grandparents who are
34 senior citizens who have the sole parental responsibility over
35 their minor or physical or mentally incapacitated children or
36 grandchildren, they shall be entitled to the benefits of this act in

1 addition to the benefits granted to them by the expanded senior
2 citizens act of 2003;

3 A change in the status or circumstance of the parent or
4 qualified family member or guardian claiming benefits under
5 this Act, such that he/she is no longer left alone with the
6 responsibility of parenthood, shall terminate his/her eligibility
7 for these benefits.

8 b) "Children or dependents" - Refer to those living with and dependent
9 upon the solo parent for support who are unmarried, unemployed and
10 not more than twenty one (21) years of age, or even over twenty one
11 (21) years but are incapable of self-support because of mental and/or
12 physical defect/disability.

13 c) "Parental responsibility" - With respect to their minor children shall
14 refer to the rights and duties of the parents as defined in Article 220
15 of Executive Order No. 209, as amended, otherwise known as the
16 "Family Code of the Philippines."

17 d) "Parental leave" - Shall mean leave benefits granted to a solo parent to
18 enable him/her to perform parental duties and responsibilities where
19 physical presence is required. All solo parents working in the
20 government or private sector shall be qualified to a seven-day parental
21 leave with pay.

22 e) "Flexible work schedule" - Is the right granted to a solo parent
23 employee to vary his/her arrival and departure time without affecting
24 the core work hours as defined by the employer.

25 f) Basic necessities - Refer to rice, corn, bread, fresh, dried and canned
26 fish and other marine products, fresh pork, beef and poultry, meat,
27 fresh eggs, fresh and processed milk, fresh vegetables, root crops,
28 coffee, sugar, cooking oil, salt, laundry soap, detergents, sanitary
29 napkins, diapers, and drugs classified as essential by the DOH and
30 other commodities as maybe classified by the DTI and the DA
31 according to Republic Act no. 7581 or The Price Act.

32 Sec. 4. *Criteria for Additional Financial Assistance.* – Any solo parent whose
33 income in the place of residence falls below the poverty threshold as set by the
34 Philippine Statistics Authority (PSA) and subject to the assessment of the Local Social
35 Welfare and Development.

1 Officer in the area where the solo parent resides shall be eligible for additional
2 financial assistance reserved for the poor and indigent solo parents as determined by
3 the proper government agencies. Provided, that any solo parent, regardless of the
4 income bracket or financial status shall enjoy the benefits under this act.

5 *Sec. 5. Comprehensive Package of Social Protection Services.* – A
6 comprehensive package of social PROTECTION services for solo parents and their
7 families SHALL be developed by the DSWD, DOH, DEPED, CHED, TESDA, DOLE, NHA,
8 DOJ, DTI, BIR, CSC, NEDA, PCW, PHILHEALTH, ULAP, DILG, and other concerned
9 government agencies and civil society organization with recognized credentials in
10 providing services to solo parents.

11 The DSWD shall coordinate with concerned agencies the implementation of the
12 comprehensive package of social protection services for solo parents and their
13 families. The package will initially include:

- 14 a) Livelihood development services which include trainings on livelihood
15 skills, basic business management, value orientation and the provision
16 of seed capital or job placement;
- 17 b) Counseling services which include individual, peer group or family
18 counseling. This will focus on the resolution of personal relationship and
19 role conflicts;
- 20 c) Parent effectiveness services which include the provision and expansion
21 of knowledge and skills of the solo parent on early childhood
22 development, behavior management, health care, rights and duties of
23 parents and children;
- 24 d) Critical incidence stress debriefing which includes preventive stress
25 management strategy designed to assist solo parents in coping with
26 crisis situations and cases of abuse;
- 27 e) Special projects for individuals in need of protection which include
28 temporary shelter, counseling, legal assistance, medical care, self-
29 concept or ego-building, crisis management and spiritual enrichment;
30 and
- 31 f) Legal advice and assistance.

32 *Sec. 6. Flexible Work Schedule.* – The employer shall provide for a flexible
33 working schedule for solo parents: Provided, That the same shall not affect individual
34 and company productivity: Provided, further, that any employer may request

1 exemption from the above requirements from the DOLE on certain meritorious
2 grounds.

3 *Sec. 7. Work Discrimination.* – No employer shall discriminate against any solo
4 parent employee with respect to terms and conditions of employment on account of
5 his/her status.

6 *Sec. 8. Parental Leave.* – In addition to leave privileges under existing laws,
7 parental leave of not more than seven (7) working days every year shall be granted
8 to any solo parent employee who has rendered service of at least six (6) months.
9 This benefit may be availed in both the private or government sector, regardless of
10 employment status.

11 *Sec. 9. Educational Benefits.* – The DEPED, CHED and TESDA shall provide the
12 following benefits and privileges:

- 13 a) Scholarship and/ or grants for qualified solo parents and their children
14 in institutions of basic, higher and technical/ vocational educational
15 and training; and
16 b) Nonformal education programs appropriate for solo parents and their
17 children.

18 The DEPED, CHED and TESDA shall promulgate rules and regulations for the proper
19 implementation of this program.

20 *Sec. 10. Housing Benefits.* – Solo parents shall be given allocation in housing
21 projects and shall be provided with liberal terms of payment on said government low-
22 cost housing projects in accordance with housing law provisions prioritizing
23 applicants below the poverty line as declared by the Philippine Statistics Authority.

24 *Sec. 11. Medical Assistance.* – The DOH shall develop a comprehensive health
25 care program for solo parents and their children. The program shall be implemented
26 by the DOH through their retained hospitals and medical centers and the local
27 government units (LGUs) through their provincial/district/city/municipal hospitals and
28 rural health units (RHUs).

29 *Sec. 12. Additional Powers and Functions of the DSWD.* – The DSWD shall
30 perform the following additional powers and functions relative to the welfare of solo
31 parents and their families:

- 32 a) Conduct research necessary to: (1) develop a new body of knowledge
33 on solo parents; (2) define executive and legislative measures needed
34 to promote and protect the interest of solo parents and their children;
35 and (3) assess the effectiveness of programs designed for

1 disadvantaged solo parents and their children;

2 b) Coordinate the activities of various governmental and
3 nongovernmental organizations engaged in promoting and protecting
4 the interests of solo parents and children; and

5 c) Monitor the implementation of the provisions of this Act and suggest
6 mechanisms by which such provisions are effectively implemented.

7 Sec. 13. *Solo Parent Identification Card (SPIC)*. – The Local Social Welfare and
8 Development Office (LSWDO) shall issue the solo parent identification card upon the
9 presentation of the applicant of the following documents:

10 a) Barangay certification certifying that the solo parent is a resident of
11 the barangay for the last six (6) months preceding the application;

12 b) Certification from the relevant government agency or court as proof
13 of birth of child/children, death of parents or spouse, decree of
14 annulment, declaration of nullity, or legal separation, or any form of
15 dissolution of marriage, status as overseas Filipino worker, and other
16 documentary support to attest the circumstances that qualifies the
17 applicant as a solo parent;

18 The SPIC shall be issued within thirty (30) days from application thereof and shall be
19 valid for one (1) year upon issuance subject to renewal.

20 Sec. 14. *Additional Benefits*. – A solo parent shall be entitled to the following
21 additional benefits:

22 a) Twenty (20) percent discount from all purchases of infant formula,
23 food, food supplements and sanitary diapers for purchases made
24 from child's birth until three (3) years of age, provided that the
25 discount on infant formula can only be availed of when the solo
26 parent is not the mother;

27 b) Twenty (20) percent discount from all purchases of medicines,
28 vaccines and other medical supplements, supplies, accessories and
29 equipment for the child, as prescribed by a licensed medical
30 practitioner, for purchases made from the child's birth until eighteen
31 (18) years of age;

32 c) Twenty (20) percent discount from all purchases of the child's basic
33 necessities;

34 d) Twenty (20) percent discount from tuition fees per child from
35 kindergarten to college level in both private and public colleges and

- 1 universities and schools, on top of any scholarship grants if any;
- 2 e) Twenty (20) percent discount from hospital bill of the solo parent's
- 3 child if admitted for medical care and attention, both in private and
- 4 public hospitals;
- 5 f) Tax amnesty and/ or reduction of real estate or inheritance taxes of
- 6 solo parents;
- 7 g) Twenty (20) percent discount on consultation and laboratory
- 8 diagnostic fees and purchase of medicines for solo parents and their
- 9 children;
- 10 h) Basic personal exemption from individual income tax in the amount of
- 11 fifty thousand pesos (p50,000.00) in addition to the existing
- 12 exemption that the solo parent may claim for their children;
- 13 i) Twenty (20) percent discount from all private and public recreational
- 14 facilities, provided that the discount can only be availed when the
- 15 solo parent and children are together. Companies and business
- 16 establishments where the said discounts were availed, shall be
- 17 entitled to claim said discounts as part of their business expense,
- 18 provided that they maintain a detailed and separate records of the
- 19 discounted purchases.

20 *Sec. 15. Creation of the Solo Parents' Special Inter-Agency Review Committee*

21 *and Task Force.* – An inter-agency committee shall be created to coordinate and

22 monitor the implementation of this act. The committee shall be comprised of the

23 following agencies:

- 24 a. Department of Social Welfare and Development (DSWD), as chair;
- 25 b. Department of the Interior and Local Government (DILG) as co-chair;
- 26 c. Department of Health (DOH);
- 27 d. Department of Justice (DOJ);
- 28 e. Department of Education (DEPED);
- 29 f. Commission on Higher Education (CHED);
- 30 g. Technical Education and Skills Development Authority (TESDA);
- 31 h. National Housing Authority (NHA); 8 I) Department of Labor and
- 32 Employment (DOLE);
- 33 i. Bureau of Internal Revenues (BIR);
- 34 j. Philippine Health Insurance Corporation (PHILHEALTH);
- 35 k. At least two (2) non-government or civil society organization with

1 proven credentials in advocating for the rights and welfare, as well as
2 providing services to solo parents.

3 This committee shall submit an annual report to the congress on the status of
4 implementation of this act, following its effectivity.

5 Sec. 16. *Solo Parents Affairs Office.* – A solo parent affairs office shall be
6 established in every local government unit. In line with this requirement, a Solo
7 Parents help desk shall be placed in every barangay for the immediate assistance of
8 solo parents and their children.

9 Sec. 17. *National Solo Parents Day And Week.* – To commemorate the role and
10 significance of every solo parent in the Philippines, solo parents week shall be every
11 third (3rd) week of April and the National Solo Parents day shall be every third (3rd)
12 Saturday of April of every year.

13 Sec. 18. *Penalties.* – Any person, corporation, entity or agency which refuses
14 or fails to provide the benefits granted to Solo Parents in violation of this act, or
15 discriminates against solo parents in employment hiring, shall suffer the following
16 penalties:

17 a) For the first violation - A fine of not less than ten thousand pesos (P
18 10,000.00) but not more than fifty thousand pesos (P50,000.00) or
19 imprisonment of not less than six (6) months but not more than one
20 (1) year, or both, at the discretion of the court.

21 b) For any subsequent violation - A fine of not less than one hundred
22 thousand pesos (P100,000.00) but not more than two hundred
23 thousand pesos (P200,000.00) or imprisonment of not less than one
24 (1) year but not more than two (2) years, or both, at the discretion of
25 the court. any person who misinterprets the status or falsifies any
26 document to avail of the benefits provided under this act or any person
27 who abuses the privileges granted herein shall be punished with a fine
28 not less than ten thousand pesos (P 10,000.00) but not more than fifty
29 thousand pesos (P50,000.00) and imprisonment of not less than six (6)
30 months.

31 If the offender is a corporation, partnership or organization or any similar entity, the
32 employees and officials therefore directly involved shall individually be held liable
33 therefore. If the violator is an alien or a foreigner, he shall be deported immediately
34 after service of sentence without further deportation proceedings.

35 Upon filing of an appropriate complaint and after due notice and hearing, the proper
36 authorities may also cause the cancellation or revocation of the business permit,

1 permit to operate, franchise and other similar privileges granted to any business that
2 fails to abide by the provision of this act.

3 Upon finding by the solo parents' special review committee that a department,
4 agency or instrumentality of the government, a Government-Owned or Controlled
5 Corporation (GOCC) or a Local Government Unit had violated any provision of this
6 act, sanctions under the administrative law, civil service or other laws may be
7 recommended to the CSC or the DILG against the head of the agency or the local
8 chief executive and the person directly responsible for the violation.

9 Any person who claims to be a solo parent for the purpose of availment of the
10 benefits under this act, with intent to defraud shall be penalized with a fine of not
11 less than ten thousand pesos (P10,000.00) but not more than fifty thousand pesos
12 (P50,000.00) or imprisonment of not less than six (6) months but not more than one
13 (1) year, or both, at the discretion of the court.

14 Sec. 19. *Daycare Facilities.* – Government agencies and private companies
15 with one hundred (100) or more employees shall provide daycare facilities within the
16 premises for children aged five and below of its employees, handled by qualified and
17 competent personnel with proven experience in child care, provided that these
18 facilities shall also be made available to children aged ten years old and below of solo
19 parents.

20 Sec. 20. *Implementing Rules and Regulations.* – Within ninety (90) days upon
21 the effectivity of this act, the DSWD, in consultation and coordination with the
22 members of the Solo Parents' special review committee, shall issue the necessary
23 rules and regulations for the effective implementation of this Act.

24 Sec. 21. *Appropriations.* – The amount necessary to carry out the provisions
25 of this Act shall be included in the budget of the concerned government agencies in
26 the General Appropriations Act (GAA). Government agencies may also utilize a
27 portion of their 31 respective gender and development (gad) budget to implement
28 this act anchored on the guidelines issued by the DBM, NEDA, and PCW.

29 Sec. 22. *Repealing Clause.* – All laws, decrees, executive orders, administrative
30 orders or parts thereof inconsistent with the provisions of this Act are hereby
31 repealed, amended or modified accordingly.

32 Sec. 23. *Separability Clause.* – If any provision of this Act is held invalid or
33 unconstitutional, other provisions not affected thereby shall continue to be in full
34 force and effect.

1 Sec. 24. *Effectivity Clause.* – This act shall take effect fifteen (15) days
2 following its complete publication in the official gazette or in at least two (2)
3 newspaper of general circulation.

Approved,