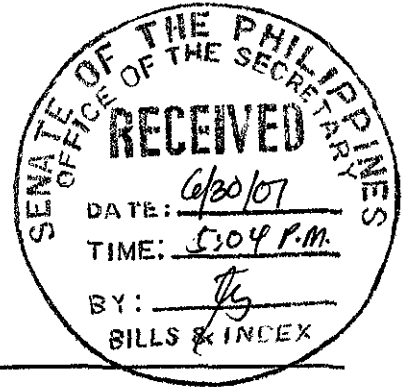


FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )

SENATE  
S. No. 281



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Introduced by **Senator Richard J. Gordon**

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### EXPLANATORY NOTE

It is the primary responsibility of the State to promote the best interests of children and protect their well-being. The payment of child support should be an important priority of the State. Unpaid child support is something that the State should not tolerate, for this threatens the health, education and survival of our children.

The acts punished in Republic Act No. 7610, as amended, otherwise known as the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act, and Presidential Decree No. 603, as amended, otherwise known as the Child and Youth Welfare Code, do not include the willful failure to pay child support.

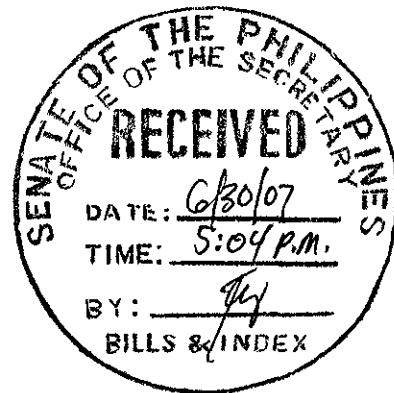
The State must protect and defend the right of children to child support. Parents must likewise be responsible for their children. A law punishing the willful failure to pay child support must therefore be enacted.



**RICHARD J. GORDON**  
Senator *gA*

FOURTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
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SENATE  
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Introduced by **Senator Richard J. Gordon**

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### **AN ACT PUNISHING THE WILLFUL FAILURE TO PAY CHILD SUPPORT**

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

1           **SECTION 1. Declaration of Policy.** – It is the policy of the State to promote  
2 the best interests of children and to protect and defend the right of children to child  
3 support.

4           **Sec. 2. Definition of Child Support.** – For purposes of this Act, child support  
5 refers to any amount determined by a court in a judgment, decree, or order to be due  
6 from a person for the support and maintenance of a child. It includes a permanent or  
7 temporary order and an initial order or a modification of an order for child support.

8           **Sec. 3. Willful Failure to Pay Child Support.** – Any person who willfully fails  
9 to pay child support, if such an obligation has remained unpaid for at least one (1)  
10 year or has an outstanding amount due of fifty thousand pesos (PhP50,000) or more,  
11 shall be punished by *prision correctional* under the Revised Penal Code.

12           **Sec. 4. Presumption.** – The existence of a child support obligation that has  
13 remained unpaid for at least one (1) year or has an outstanding amount due of fifty  
14 thousand pesos (PhP50,000) or more, in spite of demand, as alleged in the  
15 Complaint or Information creates a disputable presumption that the person has  
16 willfully failed to pay child support.

17           **Sec. 5. Probation.** – Should the parent avail of probation after conviction and  
18 sentence under this Act, the probationer shall meet his or her family responsibilities  
19 and pay child support as part of the condition for probation.

1           **Sec. 6. Repealing Clause.** – Any law, presidential decree or issuance,  
2 executive order, letter of instruction, rule or regulation inconsistent with the  
3 provisions of this Act is hereby repealed or modified accordingly.

4           **Sec. 7. Separability Clause.** – If any portion or provision of this Act is  
5 declared unconstitutional, the remainder of this Act or any provisions not affected  
6 thereby shall remain in force and effect.

7           **Sec. 8. Effectivity Clause.** – This Act shall take effect fifteen (15) days from  
8 the date of its publication in at least one (1) newspaper of general circulation.

9           Approved,