


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

7 JUL -2 10:17

RECEIVED BY: 

SENATE

S. B. No. 341

Introduced by Senator **JINGGOY EJERCITO ESTRADA**

EXPLANATORY NOTE

The 1987 Constitution provides that it is duty of the State to defend the rights of children, assist and protect them from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

Pursuant to this constitutional mandate, the government has instituted various policies and laws that would protect children below 18 years old and those who, upon evaluation, are found to be incapable of fully taking care of themselves because of physical or mental disability.

However, despite the existence of all these laws and programs, the number of children subjected to various forms of abuse and exploitation is escalating.

It is in this light that this proposed measure seeks to establish a fund to be managed by the Department of Social Welfare and Development which shall be used mainly for the protection and re habilitation of abandoned, abused and sexually exploited children. As such, it hopes to complement the existing laws and programs which are solely intended for disadvantaged children.

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


JINGGOY EJERCITO ESTRADA
Senator

THEREAFTER, SUCH SUMS AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT SHALL BE INCLUDED IN THE SUBSEQUENT GENERAL APPROPRIATIONS ACTS WHICH SHALL IN NO CASE BE LOWER THAN THE PREVIOUS APPROPRIATION.

SEC. 32. USES OF THE CHILDREN'S WELFARE FUND -THE FUND CREATED UNDER THE PRECEDING SECTION SHALL BE USED EXCLUSIVELY TO:

- A) PROVIDE PROTECTION AND ASSISTANCE TO ABANDONED, ABUSED OR SEXUALLY EXPLOITED CHILDREN;
- B) ESTABLISH, OPERATE AND MAINTAIN SUCH FACILITIES NECESSARY TO REHABILITATE SUCH CHILDREN;
- C) PROVIDE BASIC EDUCATION; AND
- D) ASSIST THE STATE IN COMBATting AND CURTAILING ALL FORMS OF CHILD ABUSE.

SEC. 33. MANAGEMENT OF THE FUND UNDER THIS ACT; ANNUAL REPORT BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT AUTHORITY (DSWD). - THE CHILDREN'S WELFARE FUND FOR ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN SHALL BE UNDER THE CONTROL AND MANAGEMENT OF THE DSWD. THE DSWD SECRETARY SHALL SUBMIT TO THE PRESIDENT OF THE PHILIPPINES AND TO CONGRESS, WITHIN FIFTEEN (15) DAYS FROM THE OPENING OF THE REGULAR SESSION, AN ANNUAL REPORT ON THE CHILD ABUSE AND EXPLOITATION SITUATION IN THE COUNTRY WHICH SHALL INCLUDE A DETAILED ACCOUNT OF THE CHILD ABUSE AND SEXUAL EXPLOITATION CASES AND CRIMES RELATED THERETO, EXPENSES INCURRED PURSUANT TO THE PROVISIONS OF THIS ACT, RECOMMENDED LEGISLATION, IF NEEDED, AND SUCH OTHER RELEVANT FACTS IT MAY DEEM PROPER TO REPORT; PROVIDED, THAT THIS REPORT SHALL BE INCORPORATED AS A SEPARATE AND DISTINCT ITEM IN THE ANNUAL STATE OF THE NATION ADDRESS OF THE PRESIDENT BEFORE BOTH HOUSES OF CONGRESS.

SEC. 3. Separability Clause. - If any provision of this Act is declared unconstitutional the application thereof to any person, circumstance or transaction is held invalid, the validity of the remaining provisions of this Act or the applicability of such provision to other persons, circumstances or transactions shall not be affected thereby.

SEC. 4. Repealing Clause. The provisions of all other laws, decrees, orders, rules or regulations or parts thereof inconsistent with this Act are hereby repealed accordingly.

SEC. 5. Effectivity. The Act shall take effect after fifteen (15) days following its complete publication in the *Official Gazette*, or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,