

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 JUL -8 AM 24

SENATE

Senate Bill No. 833

RECEIVED BY: _____

INTRODUCED BY SEN. 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 rehabilitation 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

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AN ACT
INSTITUTING CHILDREN'S WELFARE FUND FOR THE PROTECTION AND REHABILITATION OF ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7610, OTHERWISE KNOWN AS "THE SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION ACT"

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

SECTION 1. - It is hereby declared the policy of the State to recognize the vital role of the youth in nation building. Towards this end, it shall promote and protect their physical moral spiritual, intellectual and social well being.

SEC. 2. - There shall be incorporated after Sec. 30 of Republic Act No. 7610, three (3) new sections which shall read as follows:

SEC. 31. CHILDREN'S WELFARE FUND FOR ABANDONED, ABUSED, AND SEXUALLY EXPLOITED CHILDREN. - IN ORDER TO EFFECTIVELY PROTECT AND REHABILITATE CHILDREN WHO ARE VICTIMS OF ALL FORMS OF ABUSE AND SEXUAL EXPLOITATION, THERE IS HEREBY ESTABLISHED A PROTECTION AND REHABILITATION FUND FOR ABUSED AND SEXUALLY EXPLOITED CHILDREN IN THE AMOUNT OF ONEHUNDRED MILLION PESOS (P100,000,000.00) TO BE KNOWN AS CHILDREN'S WELFARE FUND TO BE CONSTITUTED FROM THE FOLLOWING SOURCES:

A) FIFTY MILLION PESOS (P50,000,000.00) FROM THE FUNDS IN THE NATIONAL TREASURY WHICH IS NOT OTHERWISE APPROPRIATED;

B) THIRTY MILLION PESOS (P30,000,000.00) FROM THE CONTINGENCY FUND OF THE PRESIDENT; AND

C) TWENTY MILLION PESOS (P20,000,000.00) FROM THE PROCEEDS OF LOTTERY OPERATIONS OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE.

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 (DSWD) - THE CHILDREN'S WELFARE FUND FOR THE 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,