



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

House Bill No. 3422



Introduced by Honorable Rodolfo Q. Agbayani

EXPLANATORY NOTE

The Constitution of 1987, Article II, Sec. 12 declares that “the State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.”

Likewise, the Philippines is a signatory to the Programme of Action adopted in the International Conference on Population and Development held in Cairo in 1994. This twenty-year program focuses on individuals’ needs and rights, rather than on achieving demographic targets. Among the principles enshrined in the Cairo Programme of Action are the following:

- The family is the basic unit of society and as such shall be strengthened. It is entitled to receive comprehensive protection and support.
- The State shall provide and encourage families to give the highest possible priority to children. The child has the right to standards of living adequate for its well-being and the right to the highest attainable standards of health, and the right to education. The child has the right to be cared for, guided and supported by parent, families and society.

In line with the above, this Bill emphasizes the duty of the State to strengthen the family and to support the decisions of married couples to create and maintain the family they have responsibly chosen to have. Specifically, it seeks to develop a program on family life and responsible parenthood to help couples achieve their desired family size in accordance with the dictates of their conscience and their informed judgment in an atmosphere of human dignity and freedom.

- It values the sanctity of life as it adheres to the constitutional ban against abortion, reiterates that families should give the highest priority to children, and supports parents in their desire to provide their children a high quality of life.
- It promotes informed choice as it calls on the State and other social institutions to make available to parents all family planning methods which are medically safe and legally acceptable.
- It adheres to moral principles in that it respects the couple's basic freedom that is in consonance with their conscience, formed by their respective religions and beliefs.
- In sum, it is a program that strives for responsible parenthood in that it allows the parents to make informed and responsible decisions on the number and spacing of their children.

Moreover, it is an empowering program in that the main actors are the married couples and not the State. However, the couples are not to be left unsupported, because the Bill creates the Family Life Program and enjoins local government units, religious institutions, civil society organizations and business groups to form a partnership with the State in this endeavor.

The Bill creates a Family Life Fund to be administered by the Presidential Adviser on Family Life with the assistance of the Family Life Council, a small secretariat and a system of committees. The work at the national level is primarily policy making, giving of financial awards, standard-setting and monitoring, as befits a viable program under a regime of devolution.

Nevertheless, while action for the enhancement of family life will take place at local levels, as a nationwide concern, the Family Life Program needs the financial push and technical support of the Central Government, beginning with the Office of the

President. The Bill also takes note of the significant role being played by national agencies such as the Department of Health, the Department of Social Welfare and Development, the Department of Education, the Department of Interior and Local Government, and the Commission on Population, among others, in providing technical assistance and support to LGUs in their efforts to uphold and strengthen families and respond to their needs in their respective jurisdictions. The Bill recognizes their indispensable role in the program by including representatives of national agencies in the Family Life Councils.

The local government units are specially called upon to actively participate in this program because they are closest to the people and can respond most effectively to citizen demands on family issues. Since the advent of devolution, many LGUs have already taken the initiative to effectively tackle the unmet need for family planning in their respective areas. This Bill will provide them additional impetus to enhance family life in their communities. Moreover, this Bill will encourage all local government units to recognize the centrality of their role in this important endeavor.

The sanctity of family life and the protection of the family are the concern of the entire society. Hence, organizations outside the state, including business and civil society, are encouraged to actively participate in the Program being introduced in this Bill. The religious institutions are specifically mentioned here in recognition of the vital role they play in molding the conscience and moral fiber of individuals who adhere to their teachings. However, the Bill continues to uphold the doctrine of the Separation of Church and State by making the religious institutions' partnership with the State in this Program an act of volition on their part, and contingent on the number of citizens that they serve. By directly seeking their partnership, the State for its part admits that no program touching the spiritual core of the individual, as this one does, can succeed without the support of churches, mosques and other faith communities.

The Bill emphasizes the critical role to be played at local levels by local government units and civil society organizations, including religious institutions in developing and activating family life programs in localities throughout the country. It specifically allows public funds, as well as funds from other local and foreign funding agencies and institutions, to be received by religious institutions, among others, as partners of the State in maintaining the stability of families and the sanctity of the family as a social institution. The model here comes from the education sector, where the

State, in recognition of the significant role played by private educational institutions, including sectarian schools, allows them to receive public funds in proportion to the pupils and students they directly benefit. A similar criterion may be drawn up so that religious family life centers may similarly access public funds from both the Family Life Fund and other sources at both national and local levels.

Scholarly studies have shown that our citizens identify an unmet need for family planning. This Bill attempts to respond to that need in a moral, responsible and effective way that recognizes the role of faith and conscience in this very important family decision.

Because of its importance in the life of the nation, urgent approval of this Bill is fervently sought.



Rodolfo Q. Agbayani

Lone District, Nueva Vizcaya



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

House Bill No. 3422

Introduced by Honorable Rodolfo Q. Agbayani

**AN ACT ESTABLISHING A PROGRAM
ON FAMILY LIFE AND RESPONSIBLE PARENTHOOD
FOR HELPING FAMILIES ACHIEVE THEIR DESIRED FAMILY SIZE
AND ENHANCE THEIR FAMILY LIFE,
AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title of Act. – This act shall be known as the “Family Life Act of 2004.”

SECTION 2. Declaration of Policy. – It is the policy of the State to recognize the family as a sacred social institution and to protect the life of the unborn child from the moment of conception. In line with this, the State hereby supports the decision of married couples to achieve their desired family size and spacing of children as an exercise of responsible parenthood in accordance with their faith and conscience. The State, thus, establishes a program on Family Life and Responsible Parenthood, hereafter to be referred to as the Family Life Program.

SECTION 3. The Family Life Program. – There is hereby created in the Office of the President a Family Life Program which shall administer the Family Life Fund of two billion pesos (P2,000,000,000.00) which shall be appropriated out of the unappropriated

funds of the General Appropriations Act in three consecutive installments and further funded from other local or foreign funding agencies and institutions. The Fund will be used as the counterpart of the national government for the following purposes:

- a. To support local government units, business and civil society organizations, including religious institutions, and other organizations in the planning and implementation of Family Life Programs. Such programs are intended to support the family and contribute to its stability and harmony and to educate and inform married couples, the youth and the public at large on responsible parenthood and information on all modern family planning methods, including Natural Family Planning, so that they may determine the size of their family and the spacing of their children; *provided* that the couples will make their own informed and responsible judgment guided by their personal, moral, religious and cultural beliefs and values; and *provided further*, that only methods medically safe and legally acceptable may be included in the informational menu;
- b. To provide technical advice and support, including capability and partnership building, to other national agencies, local government units, religious institutions and business and civil society organizations in undertaking these programs;
- c. To encourage national agencies, local government units, religious institutions and business and civil society organizations to be partners of the State through the creation and nurture of family life programs in different localities; and
- d. To register, monitor and provide financial support to these partners for their effective involvement in this program; *provided* that local government units, religious groups and other organizations that receive financial assistance shall provide counterpart funds and facilities to signify their adherence to the objectives of the Family Life Fund and their involvement in it as partners and collaborators rather than dependents.

SECTION 4. Administration of the Program. – The Presidential Adviser on Family Life and Responsible Parenthood shall be the President's arm and alter ego for the successful implementation of this Act.

a. The Presidential Adviser shall preside over a Family Life Council to be composed of representatives of national government agencies, the Leagues of Local Government Units, religious institutions and other organizations of civil society and the private sector. The President shall designate the representatives of the Department of Health, Department of Social Welfare and Development, Department of Education, of the Department of Interior and Local Government and the Commission on Population. The President shall appoint the other members of the Council from a list provided by the Leagues Local Government Units, religious groups, and interested civil society and business organizations. The Presidential Adviser on Family Life and the Family Life Council shall be assisted by a small secretariat and a system of committees.

b. The Family Life Council shall be the policy making and grant-approving body for the Family Life Fund. It shall initially draw up the criteria for allocation of the Family Life Fund, set up the machinery for registration and monitoring of family life centers, and formulate other policies governing the Family Life Program. Thereafter, it shall meet regularly to approve the recommendations of the Committee on Awards, the Committee on Capability and Partnership Building Programs, and the Committee on Registration and Monitoring of Family Life Centers, to create policies arising from the work of the Committees and other needs of the Family Life Fund, and to undertake other policies in keeping with the spirit of this Act. The Council shall take steps to ensure that the Committees shall be representative and multi-sectoral and shall consult the national agencies, Leagues of Local Government Units, religious institutions and civil society and business groups in the formation of these committees.

SECTION 5. Family Life Centers. – All local government units, religious institutions and other civil society and business organizations are enjoined to create a Family Life Center that will undertake the functions of the Family Life Council in their respective jurisdictions and for their respective constituencies. Family Life Centers of local government units are autonomous offices of these units and shall report to the local chief executive. They may coordinate with and receive technical advice and support from the Family Life Council at the national level. In line with the partnership principle, local chief executives may provide their Family Life Centers with advisory bodies composed of other government agencies, religious institutions and civil society and business organizations operating at the local level.

Religious institutions and other civil society and business organizations may create parallel family life programs/centers devoted to the concerns of this Act. They may also have access to the Family Life Fund and other public funds according to criteria developed by the Family Life Fund, other national government agencies, and local government units from which they are sourcing those funds.

SECTION 6. *Implementing Rules and Regulations.* – The Executive Secretary shall chair the body to formulate the implementing rules and regulations of this Act, with the head of the Commission on Population as its secretary and with the following as members: the Director of the Maternal and Child Health Program of the Department of Health; a representative each from the Leagues of Local Government Units, a representative each from the Roman Catholic Church, other Christian churches, and the Islamic faith; two (2) representatives from civil society organizations; and two (2) representatives from business groups. The implementing rules and regulations shall be formulated within thirty (30) days upon approval of this Act.

SECTION 7. *Separability Clause.* – If any part, section or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in force and effect.

SECTION 8. *Repealing Clause.* – All other laws, decrees, orders, issuances, rules and regulations, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspaper of general circulation in the country.

Approved,