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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 24



Introduced by: **HON. RACHEL MARGUERITE B. DEL MAR**

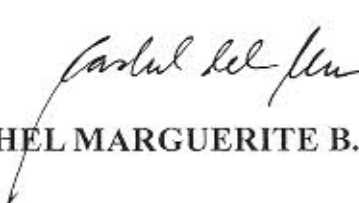
EXPLANATORY NOTE

Taking care of the poor and the underprivileged, the elderly and the disabled is the test of any decent society. In our system of government where no less than the Constitution dictates, as a matter of national policy, that there be adopted an effective food system for the needy and a social security program for the elderly, this test becomes most significant and most compelling.

The attached bill, therefore, seeks to establish a food and nutrition subsidy program for low-income households, particularly targeting the poor, the underprivileged, the elderly and the disabled as the principal beneficiaries. It is premised on two realities of daily life: One, the indisputably growing population of hungry and malnourished citizens; Two, the lack of a specific program to address the problem.

Statistics, facts and figures need to be cited here. The problem, the stark reality of many Filipinos suffering in the dying embrace of hunger and malnutrition, stares us in the eye. And the seriousness of the problem is more than enough to translate the constitutional duty of the State into a moral responsibility of each and every citizen.

In this context, approval of the bill is earnestly sought.


RACHEL MARGUERITE B. DEL MAR

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AN ACT
ESTABLISHING A FOOD SUBSIDY FOR THE POOR PROGRAM, APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* - This Act shall be known and cited as the "Food for the Poor Act of 2010".

SEC. 2. *Declaration of Policy.* - It is the declared policy of the State, in order to promote the right to health and well-being of the people, to adopt a system of effecting the delivery of food and food products to the low-income households to alleviate hunger and malnutrition, giving priority to the underprivileged, the elderly and the disabled and the poorest of the poor.

SEC. 3. *Definition of Terms.* - As used in this Act, the term:

(a) "*Foods*" - means any food or food products for home consumption, including hot meals or foods or hot products ready for immediate consumption.

(b) "*Eligible Participant*" - means a Filipino citizen, whether parent, child, elderly or disabled, whose total income is below the poverty level.

(c) "*Allotment*" - means the total value of the food an eligible participant is entitled to receive each month.

(d) "*Food Certificate*" - means the certificate issued pursuant to the implementation of the Food and Nutrition Program.

(e) "*Food Store*" - means an establishment engaged in the sale of staple food items for home preparation and consumption such as meat, poultry, fish, bread, cereals, vegetables, dairy products and the like, including cooperatives and nongovernmental organizations engaged in food sales, accredited by government to participate in the food and nutrition subsidy program.

SEC. 4. *Establishment of a Food Subsidy Program.* - There is hereby established a Food Subsidy Program, hereinafter referred to as the Program, to be administered by the Department of Social Welfare and Development (DSWD), under which eligible low-income participants shall be provided an opportunity to obtain foods through the issuance to them of a food allotment or subsidy as hereinafter provided.

The food allotment shall be implemented through the distribution of food certificate/s to participants who have been duly certified to participate in the Program. The food certificate shall be used by the participants to purchase food from food stores at prices prevailing in such stores. The certificates shall be redeemed by the DSWD or any of its implementing agencies or offices in accordance with such redemption schemes and procedures as may be established by the DSWD.

The DSWD may commence the implementation of the Program in pilot areas, as may be identified and prioritized by DSWD in accordance with its guidelines, which, upon showing of efficiency and effectiveness of the Program, shall be replicated throughout the country.

SEC. 5. *Eligible Participants/Beneficiaries.* - The Program shall be limited to eligible participants: Provided that the total number of participants for which food allotment may be claimed shall not exceed five (5) participants per family. For purposes of eligibility, income below poverty level shall be determined on the basis of such standards as may be set and such documents as may be required by the DSWD.

SEC. 6. *Allotment.* - The value of the allotment which shall be issued monthly to each participant certified as eligible to participate in the Program shall be a minimum of One Thousand Pesos (P1,000.00) per month: Provided, that in the case of an elderly or disabled member, the allotment shall be increased by a maximum of fifty percent (50%) of the minimum allotment.

The allotment herein established may be increased by the DSWD in accordance with such guidelines as may be established, considering, among others, the prevailing economic conditions and special circumstances of the eligible participants.

SEC. 7. *Disqualifications.* - Any person found to have intentionally made a false or misleading statement or misrepresented or concealed or withheld facts or committed an act that constitutes a violation of this Act or the regulations issued there under, for the purpose of using, receiving or possessing food certificates, shall become ineligible for participation in the Program.

No participant shall be eligible to participate in the Program if he refuses to cooperate in providing information to the government or to the DSWD or any of its implementing agencies or offices that is necessary for making a determination of his eligibility or for competing any subsequent review of his eligibility.

SEC. 8. *Food Stores.* - Food stores which desires to participate in the Program shall submit applications for the accreditation and approval of the DSWD. In determining the qualifications of the applicant, the following shall be considered: (a) the nature and extent of the food business conducted by the applicant; (b) the volume of the food certificates which may be reasonably expected to be conducted by the applicant; and (c) the business integrity and reputation of the applicant.

The DSWD, upon approval of the application, shall issue or cause to be issued a Certificate of Approval to the food store which shall be non-transferable in character.

Approved food stores that participate in the Program shall display a sign providing information on how persons may avail of the Program and how they may report abuses they have observed in the operation of the Program.

SEC. 9. *Records.* - The accredited food stores shall keep such records as may be necessary to enable the DSWD to ascertain whether the Program is being conducted in compliance with the provisions of this Act. Such records shall be available for inspection and audit at any reasonable time and shall be kept for such period of time as may be specified in the regulations issued in accordance with this Act.

SEC. 10. *Disqualification of Food Store.* - Any approved food store found to be engaged in any unauthorized use of food certificates or found to have violated any provisions of this Act

or the regulations issued in pursuance of this Act shall be immediately disqualified from participating in the Program.

SEC. 11. *Food and Nutrition Education Program.* - The DSWD, in connection with the Department of Health and the Department of Education, shall undertake the appropriate information program to reach the program participants.

SEC. 12. *Rules and Regulations.* - The DSWD shall prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 13. *Appropriations.* - There is hereby appropriated the sum of Fifty Million (P50,000,000.00) Pesos to fund the initial requirements of the Program. The National Government shall subsequently include in its appropriations such amount as may be necessary to carry out the objectives of this Act.

SEC. 14. *Repealing Clause.* - All provisions of laws, orders, decrees, including rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

SEC. 15. *Separability Clause.* - If any part or provision of this Act shall be held to be unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 16. *Effectivity.* - This Act shall take effect fifteen (15) days following its publication in one (1) national newspaper of general circulation.

Approved,