

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6178



Introduced by REP. ANTHONY G. DEL ROSARIO

EXPLANATORY NOTE

This bill seeks to exempt indigents from paying any fees when they get pre-employment certifications and clearances from government agencies.

Section 9, Article II of the 1987 Constitution, states that:

"The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all."

Poverty continues to be a major problem in the Philippines despite government efforts to reduce it. There is still a large segment of the population who cannot liberate themselves from the bondage of poverty because of the lack of employment opportunities. While they are capable to work, the limited jobs and the quality of jobs available continue to prevent poor Filipinos from escaping poverty. Since it is already difficult to find a job, the payment for certificates and clearances which are usually required by placement agencies entails additional burden to indigents who do not even have enough money for their subsistence.

This measure aims to lessen the financial burden on indigents who are seeking employment by exempting them once a year from paying any fees when securing pre-employment certificates and clearances from government offices. This proposal will not only extend assistance to the indigents but will also make it easier for them to secure some of the requirements needed in applying for work. It will encourage them to find employment so that they can be self-reliant and become productive members of society. This policy will serve as an effective mechanism to alleviate poverty, ensure social justice, and improve the condition and quality of life of indigent Filipinos.

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


ANTHONY G. DEL ROSARIO

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AN ACT
EXEMPTING INDIGENTS FROM PAYING ANY FEES WHEN THEY GET PRE-EMPLOYMENT CERTIFICATIONS AND CLEARANCES FROM GOVERNMENT AGENCIES

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

SECTION 1. **Short Title.** – This Act shall be known as the “*Free Certification and Clearance Fees Act.*”

SEC 2. **Declaration of Policy.** – It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and improved quality of life for all. Towards this end, the State exempts indigent persons from paying fees when they get pre-employment certifications and clearances issued by government agencies to encourage them to find employment and liberate them from poverty.

SEC. 3. **Indigent Fee Exemptions.** – An indigent person shall be exempt from paying any fees in securing or processing the following documents for employment purposes:

- a) Barangay clearance;
- b) National Bureau of Investigation (NBI) clearance;
- c) Police clearance; and
- d) Medical certificate from a government hospital, clinic or health center.

For purposes of this Act, an indigent refers to a person who has no visible means of income or whose income is insufficient for the subsistence of his family based on the criteria set under the National Household Targeting System for Poverty Reduction as certified by the barangay and validated by the Department of Social Welfare and Development (DSWD).

SEC. 4. ***Certificate of Indigency.*** – Upon request, a certificate of indigency shall be issued to the qualified applicant by the barangay where the indigent applicant resides, and shall be validated by the City or Municipal Social Welfare and Development Officer.

The certificate of indigency shall entitle the holder to avail of the benefits under Section 3 of this Act once a year.

SEC. 5. ***Penalties.*** – Any person, government entity, agency or hospital who refuses or fails to provide the benefits granted to the indigent under this Act or any person who charges indigents any fees when they apply for pre-employment certifications or clearances in violation of this Act shall suffer the penalty of imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Ten Thousand Pesos (P10,000.00) but not more than (P50,000.00), or both, at the discretion of the court.

Any person who misrepresents his status or falsifies any document to avail of the benefits provided under this Act or any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Five Thousand Pesos (P5,000.00) but not more than Ten Thousand Pesos (P10,000.00), or both, at the discretion of the court.

SEC. 6. ***Implementing Rules and Regulations.*** – Within sixty (60) days from the approval of this Act, the Secretary of Social Welfare and Development shall issue the rules and regulations for the effective implementation of this Act.

SEC. 7. **Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,