

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

SIXTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **6097**



Introduced by Representative Roman T. Romulo
Lone District of Pasig City

EXPLANATORY NOTE

Article 2, Section 15 of the Constitution provides, "*The State shall protect and promote the right to health of the people and instill health consciousness among them.*"

As an expression of the paramount importance given to health, the same was made even more emphatic as the State is mandated by the Constitution to adopt an integrated comprehensive approach to health development, which shall endeavor to make essential goods, health and other social services available to all, with priority to children, among others.

Further, the Philippines is also expected to be able to take active part in the accomplishment of the Millennium Development Goals (MGDs) which includes the improvement of education and health, and the alleviation of extreme poverty and hunger.

Given that education is a sure path to uplift one's standard of living, thereby addressing the issue on poverty, not all children of school age are able to have meaningful education because their learning capacity are not fully maximized because of malnutrition and hunger. To address the matter, the creation of a National Free Lunch Program is hereby created for the purpose of improving access, stabilizing attendance, increasing enrollment and alleviating hunger for better learning.

This National Free Lunch Program will be an expansion of the existing School-Based Feeding Program (SPBF) which covers 532,752 severely wasted (SW) and 627,403 wasted (W) pupils from Kindergarten to Grade 6 for SY 2015-2016.

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

A handwritten signature in black ink, appearing to read "Roman T. Romulo".

ROMAN T. ROMULO

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AN ACT

INSTITUTING A NATIONAL FREE LUNCH PROGRAM TO CHILDREN ENROLLED IN ALL PUBLIC KINDERGARTEN, ELEMENTARY AND HIGH SCHOOLS, PROVIDING A SUSTAINABLE FRAMEWORK FOR ITS IMPLEMENTATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. *Title*- This Act shall be known as the "*National Free Lunch Act of 2015*"

Sec. 2. *Declaration of Policy*. - It is a declared policy of the State that it shall promote a just and dynamic social order that will ensure an improved quality of life for all. Towards this end, it is the objective of this Act to provide a government-united and practical feasible approach to address the issue of malnutrition and hunger among school children in public kindergarten, elementary and high schools through the institutionalization of the National Free Lunch Program.

Sec. 3. *National Free Lunch Program*- To improve the attendance, nutrition, health, and academic performance of school children in public kindergarten, elementary and high schools, a National Free Lunch Program is hereby institutionalized.

The National Free Lunch Program is a nutrition-driven initiative and is free for school children enrolled in public schools. The program shall commence upon the official opening of classes and free lunch shall be served five (5) days a week and shall be effective for the duration of the entire school year.

Sec. 4. *Child Nutrition Network*.- There is hereby created a Child Nutrition Network (CNN), a body that will implement the Program. It shall be composed of the Department of Education (DepEd), the Department of Social Welfare and Development (DSWD), the Department of Agriculture (DA), the

National Nutrition Council (NNC), the Food and Nutrition Research Institute (FNRI) and the Department of Health (DOH). The Secretary of DepEd and the Secretary of DSWD shall be Co-Chairpersons of the CNN.

The body shall then establish a Nutrition Framework for its implementation. The Nutrition Framework, among others, will serve as blueprint containing the details of its implementation; integrated package of nutrition services; institutionalization of a system of qualification, accreditation and the corresponding incentives for private corporations; development of a data base of information, knowledge and best practices for nutrition programs; food and health aspects of school-based implementation; monitoring progress report on children; participation of communities and civil society and private-public sector partnership.

Sec. 5. *Integrated Nutrition Education and Social Preparation.* - The National Free Lunch Program shall be complemented by public health and nutrition education campaign programs, which aims to promote a holistic and integrated approach to health and nutrition education of school pupils. For this purpose, relevant and user-friendly nutrition information and education materials shall be developed and distributed in the public school. Orientation-training shall be held among DepEd health and nutrition unit personnel at the regional and division levels, concerned local government representatives, and the parent-teacher associations (PTAs), in order to orient them on the Program's objectives and mechanics and generate support for the Program.

Sec. 6. *Periodic Health Examination.* A simultaneous health examination including relevant vaccination and de-worming of all school pupils shall be undertaken before the start of the feeding program, and shall be conducted by either the respective local Health Officer or Barangay Nutrition Scholars (BNS). Children found with ailments shall be given proper treatment and referred to hospitals. Class Advisers shall note the progress of each pupil for the entire duration of the implementation of this program. The respective Principals shall submit a quarterly progress report to the Division Superintendent. The Division Superintendent shall submit the consolidated reports to the Child Nutrition Network.

Sec.7. *Role of the Department of Education (DepEd).*- The Department of Education shall be responsible for institutionalizing the standard lunch program in the public education system, which will:

- a) Provide free lunch meals to all public elementary and high school children, including kindergarten;
- b) Ensure that the standard lunch meals meet the required nutritional level for school pupils, in coordination with the CNN
- c) Institute a system of effective sourcing, procurement and delivery of the required raw materials and other necessary inputs.

Sec. 8. *Role of the Department of Social Welfare and Development (DSWD).*- The DSWD shall identify the areas, in the cities and municipalities where malnutrition rates are most severe in order to prioritize said areas in the implementation of this program.

Sec. 9. *Role of the Department of Agriculture (DA).*- The Department of Agriculture (DA) shall identify and accredit farmers, farmers' organizations or farmer's cooperatives, who can supply good quality fresh fruits, vegetables and other healthy food products.

The DA, as far as practicable, shall identify the farmers and farmers' organizations from the locality where the feeding program is to be administered. The farmers shall be chosen pursuant to a transparent and fair selection system, which the Department of Agriculture shall design, promulgate and implement. The DA shall likewise provide technical assistance in cost-effective vegetable and rice fanning within the school premises, whenever applicable. The Bureau of Fisheries and Aquatic Resources (BFAR) shall provide technical assistance in the development of cost-effective ways of raising tilapia, and other fish resources that are available in the locality.

Sec. 10. *Role of the Department of Health (DOH).*- The DOH shall identify the fruits, vegetables, and other healthy foods which are appropriate for the feeding programs in the specified locality and shall recommend these to the DA for purchasing. The DOH shall also procure personnel or volunteers from the locality, preferably from the Parent Teacher Associations (PTAs) and provide technical assistance in the training on the proper and healthy preparation, cooking, and other healthy practices in relation to the feeding programs.

Sec. 11. *Private Sector Participation.* - Private sector partnership is encouraged in this Act. The private entity can in the form of their Corporate Social Responsibility donate or adopt a school as recipient of the National Free Lunch Program in cooperation with the concerned agencies identified in this Act or directly organized and coordinated with the DepEd.

For purposes of this provision, the DepEd in coordination with the Department of Finance and other relevant government agencies shall provide a system of incentives including but not limited to creditable expenses in income tax, or discount in business permits registration or other form of assistance.

Sec. 12. *Appropriation.*- The amount of Eighty Billion Pesos (Php 80,000,000,000.00) is hereby appropriated for the implementation of this Program and shall be sourced from the proceeds of Philippine Charity Sweepstakes Office and Philippine Gaming and Amusements Corporation. Initially, a substantial portion shall be sourced from the Social Fund of the Office or the President.

The funds shall be administered by the Child Nutrition Network (CNN). Thereafter, such sum necessary for its continuous implementation shall be included in the annual General Appropriations Act.

All expenditures, disbursement of funds and other activities made under the program shall be subject to existing government auditing and accounting rules and regulations.

Sec. 13. *Implementing Rules and Regulations.*- The Child Nutrition Network (CNN) shall promulgate the necessary rules and regulations implementing the provisions of this Act, within ninety (90) days from the effectivity of this Act. Each of the member national government agencies and instrumentalities shall likewise promulgate the necessary internal memoranda, circulars and other order to institutionalize the program within their respective offices, not later than the date to be determined by the CNN.

Sec. 14. *Repealing Clause.* - All laws, decreed and orders or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly. Nothing in this Act shall affect the existing food programs being implemented by other government agencies.

Sec. 15 . *Effectivity.* - This Act shall take effect 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,