

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

SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 6175

Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

Economic and sociocultural realities experienced by solo parents should be addressed and practices that perpetuate discrimination and inequality should be abolished. The State shall provide the necessary mechanisms to enforce the rights of solo parents and adopt and undertake all legal measures necessary to promote equal opportunities and protect human rights and dignity.

Republic Act No. 8972 or the Solo Parents' Welfare Act was enacted in 2000 to provide benefits and comprehensive program for social welfare and development of solo parents and their children. The law recognizes that solo parents are among the vulnerable and marginalized members of society and need protection and support.

This measure aims to strengthen the rights of solo parents and to promote non-discrimination against them. It further recognizes and addresses the inequalities experienced by solo parents through additional financial benefits and institutional support that would help alleviate the challenges they experience in solely raising their child or children.

The immediate passage of this bill is most earnestly sought.

A large, stylized handwritten signature in black ink, appearing to read 'Winnie Castelo'.

WINNIE CASTELO

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"AN ACT ESTABLISHING A MAGNA CARTA OF SOLO PARENTS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES."

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

SECTION 1. Short Title. - This Act shall be known as the "Magna Carta of Solo Parents".

SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Furthermore, the State promotes the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.

SEC. 3. *Human Rights of Solo Parents* - All human beings are free and equal in dignity and rights as encompassed in Article 1 of the Universal Declaration of Human Rights. No one, therefore, should suffer discrimination on the basis of ethnicity, gender age, language, sexual orientation, race, color, religion, political, or other opinion, national, social, or geographical origin, disability, property, birth, or other status as established by human rights standards.

To this end, the State shall promote rights of solo parents and protect them against discrimination.

SEC. 4. *Definition of Terms.* - As used in this Act, the following terms shall mean as follows:

- (a) "Solo Parent" - as defined under RA 8972, any individual who falls under any of the following categories:
- 1) A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender: *Provided*, That the mother keeps and raises the child;
 - 2) Parent left solo or alone with the responsibility of parenthood due to death of spouse;

- 3) Parent left solo or alone with the responsibility of parenthood while the spouse is detained or is serving sentence for a criminal conviction for at least one (1) year;
- 4) Parent left solo or alone with the responsibility of parenthood due to physical and/or mental incapacity of spouse as certified by a public medical practitioner;
- 5) Parent left solo or alone with the responsibility of parenthood due to legal separation or *de facto* separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children;
- 6) Parent left solo or alone with the responsibility of parenthood due to declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children;
- 7) Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least one (1) year;
- 8) Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution;
- 9) Any other person who solely provides parental care and support to a child or children;
- 10) Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent.

A change in the status or circumstance of the parent claiming benefits under this Act, such that he/she is no longer left alone with the responsibility of parenthood, shall terminate his/her eligibility for these benefits.

(b) "Children" – refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/disability.

(c) "Discrimination against solo parents" - refers to any distinction, exclusion, or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by solo parents, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

It includes any act or omission, including by law, policy, administrative measure, or practice, that directly or indirectly excludes or restricts solo parents in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges.

(d) "Parental leave" – shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.

SEC. 5. Protection against discrimination of solo parents. - Discrimination against solo parents, including but not limited to wages, conditions of work, and employment opportunities, is prohibited.

Public and private entities and individuals found to have committed discrimination against solo parents shall be subject to sanctions provided under Section 10 hereof.

SEC. 6. - *Review of Programs for and Benefits Granted to Solo Parents.* - This Act reiterates the benefits granted to solo parents under Rep. Act No. 8972, including the Comprehensive Package of Social Development and Welfare Services. The inter-agency committee, created under RA 8972, headed by the Department of Social Welfare and Development, shall submit to Congress a report on the plans, programs developed under the aforementioned law and the status of its implementation within sixty (60) days from the effectivity of this law. The Interagency shall submit regular reports to Congress every three (3) years following the initial submission of report.

SEC. 7. *Parental leave* - Section 8 of RA 8972 is, hereby amended to read as follows:

"SECTION 8. *Parental Leave* - In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days WITH PAY every year shall be granted to any solo parent employee who has rendered service of at least SIX (6) MONTHS."

SEC. 8. *Additional Benefits for Solo Parents.* - To promote the rights of solo parents, the following benefits are further granted:

- a) Solo Parent Identification Card (SPIC) - Solo parents shall be entitled to a Solo Parent Identification Card (SPIC) to be granted by the local chief executive, upon qualification and submission of proper documents.
- b) Twenty percent (20%) discount on children's clothing materials for all purchases made within two years from birth of the child of the solo parent
- c) Twenty percent (20%) discount on milk, food, and food supplement for the child of the solo parent for all purchases made within two (2) years from birth of the child of the solo parent.
- d) Twenty percent (20%) discount on all purchases of the solo parent of medicines, vaccines, and other medical supplement for purchases made within a period of eighteen (18) years from the child's birth
- e) Ten percent (10%) discount from school tuition fees per child from Elementary School to College.

To avail of these benefits, the solo parent shall present the Solo Parent Identification Card and the birth certificate of the child or other evidence of age of the child.

The corporation or business establishment that gives a discount to the solo parent in accordance with this section shall be entitled to claim the discount given as a business expense subject to proper recording and documentation.

SEC. 9. *Responsibilities of the Local Government Unit* - The municipal and city social welfare officer shall process the Solo Parent Identification Card not more than fifteen (15) days after filing for application.

The local government shall allocate an amount from their Internal Revenue Allotment (IRA) for programs/ services benefiting solo parents and their children. These programs shall include, but are not limited to, livelihood programs, job placement, scholarship programs, and low-cost housing.

SEC. 10. *Penalties.* - Any person, corporation, entity, or agency who commits discrimination against solo parents or refuses or fails to provide the benefits granted to the solo parents in violation of this act shall suffer the following penalties:

- 1) For the first violation - a fine of not less than ten thousand pesos (P10,000.00) but not more than fifty thousand pesos (P50,000.00) or imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.
- 2) For subsequent violations - A fine not less than one hundred thousand pesos (P100,000.00) but not more than two hundred thousand pesos (P200,000.00) or imprisonment of not less than one (1) year but not more than (2) years, or both, at the discretion of the court.

If the offender is a corporation, partnership, or organization or any similar entity, the employees and officials directly involved such as the President, General Manager, Managing Partner, or other Officer charged with the management of its affairs shall be liable therefor.

If the offender is an alien, the offender shall be deported immediately after service of sentence without further deportation proceedings.

SEC. 11. *Appropriations.* - The amount necessary to carry out the provisions of this Act shall be included in the budget of concerned government agencies in the General Appropriations Act of the year following its enactment into law and thereafter.

The LGU shall allocate necessary funding from their Internal Revenue Allotment (IRA) to cover the programs and services for solo parents.

SEC. 12. *Separability Clause.* - If any provision or section of this Act is held invalid or unconstitutional, the other provisions and sections not affected thereby shall remain in full force and effect.

SEC. 13. *Repealing Clause.* - All laws, presidential decrees, executive orders, or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or two (2) national newspapers of general circulation.

Approved,