

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7842**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

There are no shortages of laws that protect the rights of this country's children. Article 332 of the Civil Code, RA 7610 and the International Declaration of the Rights of the Child all provided the requisite legal deterrence and protections against child abuse, exploitation, and discrimination.

Still, with all of these laws in effect, we still find children in deplorable conditions, begging in the streets and at the most extreme, being peddled for prostitution. In 2010, an estimated 60,000 to 100,000 children in the Philippines were involved in prostitution rings, according to the U.N.'S International Labour Organization's Manila office. On the other hand, there are approximately, 201,916 street children nationwide.

One such cause of these incredibly repulsive statistics are parents who renege on their legal and moral obligation to their children. The gross inhumanity that these children suffer should be prevented by imposing penalties on parents who shall be proven to have displayed such willful neglect. Society shall never condone parents who would subject their children to a life of beggary, prostitution and delinquency, no matter the reason.

This representation does not seek to outlaw the poor. What it aims to achieve is the protection of this nation's children from irresponsible parenting. Moreover, the circumstances that gave reason for this measure to be proposed shall be a sobering call to the Government to address in a more judicious manner the problem of poverty that allows for such inhumanity. This representation feels the full weight of its responsibility and hopes that no child shall ever suffer these injustices just because they were unfortunate enough for having been born poor.

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

GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT

**PENALIZING PARENTS, ADOPTERS, GUARDIANS OR PERSONS EXERCISING
SPECIAL OR SUBSTITUTE PARENTAL AUTHORITY OVER CHILDREN UNDER
PARENTAL AUTHORITY FOUND TO BE ENGAGED IN BEGGING AND/OR
PROSTITUTION AND FOR OTHER PURPOSES**

*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 “Anti-Child Begging and
Prostitution Act.”

SEC. 2. *Declaration of Policy*.—It is hereby declared the policy of the State to ensure that
children are protected from abuse, exploitation and discrimination.

The excuse of parents allowing their children to support the family’s meager financial
capacity by working has been pushed to the extreme by the increasing incidence of children
begging and engaging in prostitution. This is prejudicial to the development of the child. As a legal
and moral responsibility, there should be no compromise to the child’s entitlement of support from
their parents.

SEC. 3. *Definition*.— **Children** refers to persons below eighteen (18) years of age
including those in this age category who are unable to fully take care of themselves because of
physical or mental disability or condition.

SEC. 4. *Additional Measures*.—In addition to the measure of prevention provided under
Article 332 of the Civil Code providing for the deprivation of parental authority or suspension of
the exercise of the same if they should treat their children with excessive harshness or should give
them corrupting orders, counsels or example, or should make them beg or abandon them, the
penalty of *arresto mayor* shall be imposed upon the parents, adopters, guardians or persons
exercising special or substitute parental authority over children under parental custody found to be

1 begging or engaging in prostitution, whether the intent is to give pecuniary benefit to the child,
2 harness him or her for family sustenance, or simply let the child fend for him or herself.

3 Parents, adopters, guardians or persons exercising special or substitute parental authority
4 over the child who shall use, coerce, intimidate, or force their children to beg or engage in
5 prostitution shall suffer the penalty of prison correccional.

6
7 **SEC. 5. *Transfer of Custody.***—The victims of the acts committed under section 4 shall be
8 entrusted to the care of the Department of Social Welfare and Development (DSWD) with due
9 regard to the eventual turnover to substitute parental authority enumerated under Article 216 of
10 Executive Order 209 otherwise known as the Family Code of the Philippines: Provided, that they
11 are not to be found abetting the parent's neglect.

12
13 **SEC. 6. *Stiffer Penalties for Pre-Adolescent Victims.***—The penalties shall be one (1)
14 degree higher than the imposed herein when the victim is under twelve (12) years of age.

15
16 **SEC. 7. *Implementing Rules and Regulations.***—The Department of Social Welfare and
17 Development shall formulate the necessary rules and regulations for the effective implementation of
18 the provisions under this Act.

19
20 **SEC. 8. *Repealing Clause.***—All laws, statutes, issuances, orders and/or presidential
21 issuances contrary or inconsistent with the provisions of this Act shall is hereby repealed or
22 modified accordingly.

23
24 **SEC. 9. *Effectivity***—This Act shall take effect fifteen (15) days after its publication in the
25 Official Gazette and at least two (2) newspapers of general circulation.

Approved,