

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session
8519
House Bill No. _____



Introduced by Representative **John Marvin "Yul Servo" C. Nieto**

Explanatory Note:

It is a mandate of the State as provided in Constitution to provide infants and children with the necessary assistance they require, especially if it is in the nature of their overall health and development.

Article XV of the 1987 Constitution, SEC. 3 (2):

The State shall defend:

"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;"

It is also the responsibility of the State to protect and further strengthen the Filipino family for it is considered as the foundation of the nation, therefore, parents and guardians must be provided with a supportive environment that is conducive in addressing the needs and challenges of raising their children. The value of the family unit must be continuously recognized and affirmed by the state for it is integral for society building.

The proposed measure seeks to require the mandatory provision of having diaper-changing stations in restrooms regardless if it is a common area accessible to all. Presently, there are still numerous establishments that do not have diaper-changing tables, while existing ones are currently only accessible to women for they are located inside the women's restroom. This measure also seeks to recognize Filipino fathers who have an active role in child care tasks by providing them the space to do so. Lastly, this measure also seeks to require all food establishments to provide child-friendly seats for their customers.

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


JOHN MARVIN "YUL SERVO" C. NIETO

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AN ACT
REQUIRING THE PROVISION OF INFANT-FRIENDLY FACILITIES IN
GOVERNMENT AGENCIES AND MAJOR ESTABLISHMENTS IN THE PHILIPPINES

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

SECTION 1. Short Title. - This Act shall be known as the "Infant-Friendly Facilities Act."

SEC. 2. Declaration of Policy. - The State recognizes that all Filipinos are entitled to access to convenient facilities that will enable them to properly undertake their respective responsibilities of childcare. The State mandates, therefore, that these facilities are sanitary, safe and readily available for all persons, and that all private and public establishments comply with these conditions for the benefit of the general public.

The State further recognizes the collective need for ensuring that families with infants or toddlers are entitled to facilities that will cater to their needs of specialized seating for their comfort and convenience without requiring these families to procure additional equipment for their infants or young children.

SEC. 3. Definition of Terms. - The following terms shall be used in this Act:

- a. **"Common Seating"** shall refer to the actual number of seats available for customers of a particular food service establishment.
- b. **"Child-Friendly Seating"** shall refer to high chairs or any seating apparatus that will be used to allow infants or children to be seated at tables or counters at an elevated distance from the ground.
- c. **"Early-stage Child"** shall mean any child of any age whose size and developmental stage allows placement in child-friendly seating equipment.
- d. **"Diaper-changing Station"** shall mean an area where a person can change the diapers of a child. The station shall accommodate at least a 20-pound child

and shall have a trash bin for the disposal of diapers. It shall also have hand-washing facilities, in good condition and working,

e. **"Food Service Establishment"** shall mean any privately-owned facility business, firm or enterprise that is primarily oriented towards the provision of food services for its customers, the general public. These include restaurants, eateries or other facilities that are contained within malls or other larger structures, as well as those establishments that have their own independent infrastructure. This does not apply to food service establishments that operate as nightclubs or bars that do not permit anyone who is under 18 years of age to enter the premises.

f. **"Major Establishment"** shall mean malls, shopping centers, theaters or movie houses, convention centers, sports arenas, auditoriums, cultural complexes, exhibition halls, permanent amusement parks, health facilities, restaurants that can seat 50 people or more, gasoline stations that have restrooms opened to the public and establishments measuring 25,000 feet or more. This does not apply to an industrial building or to a nightclub or bar that does not permit anyone who is under 18 years of age to enter the premises. This section also does not apply to a restroom located in a health facility if the restroom is intended for the use of one patient or resident at a time.

g. **"Government Offices"** shall mean all local and national government offices, agencies, and government-owned and controlled corporations.

h. **"Patrons"** refer to any individual or group that avails of any of the offered food, as well as the services of the food service establishment.

PART I

ACCESS TO CHILD-FRIENDLY SEATING

SEC. 4. Provision of Child-Friendly Seating. - Food service establishments are required to have, at all times, child-friendly seating equipment for patrons that have at least one (1) early-stage child present with them at the time that they procure the food or services of the establishment.

SEC. 5. Proportion of Child-Friendly Seating to Common Seating. - Owners and managers of food service establishments must ensure that they will be able to provide a proportion of at least one (1) child-friendly seat for every ten (10) common seat available.

PART II

ACCESS TO DIAPER-CHANGING STATIONS FOR MEN'S AND WOMEN'S RESTROOMS

SEC. 6. In General. - There shall be at least one safe, sanitary, and convenient baby diaper-changing station that is accessible to restrooms used exclusively by women and restrooms used exclusively by men, or at least one safe, sanitary, and convenient baby diaper-changing station that is accessible to both men and women in all major establishments and government offices,

SEC. 7. Exceptions. - Section 6 shall not apply if the local building inspector determines that the installation of a baby diaper-changing station is not feasible or would result in a failure to comply with applicable building standards governing the right of access for persons with disabilities. This provision shall also not apply to a restaurant with a seating capacity of 50 people, if there is a centrally located facility with a baby diaper-changing station located within 30 meters of the entrance to the restaurant.

PART III OTHER PROVISIONS

SEC. 8. Implementation - The Secretary of Health is mandated to provide the implementing rules and regulations of this law.

SEC. 9. Penalties. - Major establishments that fail to comply with any of the provisions of this Act within one year from its enactment shall be meted with a warning. Major establishments that fail to comply with the provisions of this Act six (6) months after being issued a warning shall pay a fine of two thousand pesos (PhP 2,000.00) for every succeeding month until compliance is made.

SEC. 10. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 11. Repealing Clause. - All laws, executive orders, rules and regulations, or any part thereof inconsistent herewith are deemed repealed, modified, or amended accordingly.

SEC. 12. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,