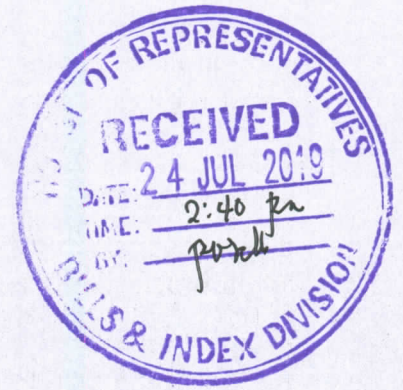


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2661



Introduced by: **HON. "KUYA" JOSE ANTONIO R. SY-ALVARADO**

AN ACT
AMENDING REPUBLIC ACT 8972 OTHERWISE KNOWN AS THE SOLO
PARENTS WELFARE ACT OF 2000, PROVIDING ADDITIONAL BENEFITS AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

The Solo Parent Act of 2000 or Republic Act No. 8972 also known as the Single Parent Law provides benefits and privileges to solo parents. Solo parents are those who are left alone with the responsibility of rearing their children regardless of marital status.

RA 8972, which was promulgated on November 7, 2000, was enacted to provide a comprehensive program of social development and welfare services for solo parents and their children. It also covers fathers or mothers who raise their children by themselves, either because of the death of a spouse, abandonment, separation, or even those who have children as a result of rape.

According to a study made by the Department of Health and the University of the Philippines-National Institute for Health which was funded by the World Health Organization, at least 14 to 15 percent of the estimated 94 million Filipinos are solo parents, or about 14 million and 95 percent of it are women.¹

Solo parents are considered a vulnerable sector of our society. They are the sole breadwinners of their families. Financial difficulties associate solo parenthood. They and their children are subjects of discrimination. There are no existing penalties in case employers refuse to observe the mandates of the law on solo-parent employee benefits.

Amendments to the Solo Parent Act of 2000, is highly integral to the success of delivering benefits, privileges, needs and rights to the solo parents in our country.

Thus, the approval of this bill is earnestly sought.

"KUYA" JOSE ANTONIO R. SY-ALVARADO
Representative
First District of Bulacan

¹ (San Juan, 2018) San Juan, A. (2018, July 13). *DSWD to hold 1st National Solo Parents' Summit*. Retrieved from Manila Bulletin.

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

SECTION 1. Section 3 of the Act is hereby amended to read as follows:

“Section 3. Definition of terms. – Whenever used in this Act, the following terms shall mean as follows:

(a) “Solo parent” – 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 death of spouse;
- (3) Parent left solo or alone with the responsibility of parenthood while 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 or legal separation or *de facto* separation from spouse for at least ~~one (1) year~~ **SIX (6) MONTHS**, provided 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, provided 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~~ **SIX (6) MONTHS**;
- (8) Unmarried mother/father who has preferred to keep and rear his/her child/children; who has actual custody of the said child/children, instead of having others care for them or giving them up to a welfare institution;
- (9) Any other person who ~~[solely provides parental care and support to a child or children]~~ **BEARS SOLE PARENTAL RESPONSIBILITY A CHILD OR**

CHILDREN, INCLUDING A FOSTER PARENT DULY-RECOGNIZED BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, A LEGAL GUARDIAN APPOINTED BY THE COURT OR A LEGAL SINGLE ADOPTIVE PARENT; and

- (10) Any family member who assumes the responsibility as the head of the family resulting from 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 sole responsibility of parenthood, shall terminate his/her eligibility for these benefits.

- (b) "Children" – refer to those living with the dependent upon the solo parent for support that 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) "Parental Responsibility" – with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209, as amended, otherwise known as the "Family Code of the Philippines".
- (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.
- (e) "Flexible work schedule"- is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer

SECTION 2. There shall also be created and inserted Section 4-A to read as follows:

"SECTION 4-A. SOLO PARENT IDENTIFICATION CARD (SPIC)- THE LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (LSWDO) SHALL ISSUE THE SOLO PARENT IDENTIFICATION CARD UPON THE PRESENTATION OF THE APPLICANT OF THE FOLLOWING DOCUMENTS:

(b) **BARANGAY CERTIFICATION CERTIFYING THAT THE SOLO PARENT IS A RESIDENT OF THE BARANGAY FOR THE LAST SIX (6) MONTHS PRECEDING THE APPLICATION;**

(c) **BARANGAY CERTIFICATION OF CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT AS REQUIRED BY THIS ACT**

(d) **CERTIFICATION FROM THE PROPER GOVERNMENT AGENCY AS PROOF OF BIRTH OF CHILD/CHILDREN, DEATH OF PARENTS OR SPOUSE AND OTHER DOCUMENTARY SUPPORT TO ATTEST THE CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT;**

(e) **INCOME TAX RETURN OR ANY EQUIVALENT DOCUMENT THAT ESTABLISHES THE INCOME OR FINANCIAL STATUS OF THE SOLO PARENT APPLICANT.**

THE SPIC SHALL BE ISSUED WITHIN THIRTY (30) DAYS FROM APPLICATION THEREOF 'AND SHALL BE VALID FOR ONE (1) YEAR UPON ISSUANCE SUBJECT TO RENEWAL.

SECTION 3. Section 8 of the Act is likewise amended to read as follows:

“Section 8. Parental Leave – In addition to leave privileges under existing laws, parental leave or not more than seven (7) working days **WITH PAY** every year shall be granted to any solo parent employee regardless of employment status who has be rendered service of at least ~~one (1) year~~ **SIX (6) MONTHS.**”

SECTION 4. There shall be created and inserted Section 12-A of the Act to read as follows:

“SECTION 12-1. ADDITIONAL BENEFITS. – IN ADDITION TO THE FOREGOING BENEFITS, SOLO PARENTS WHO HAVE BEEN QUALIFIED AS SUCH BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHALL LIKEWISE BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS:

- (1) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD MADE WITHIN A PERIOD OF UP TO TWO (2) YEARS FROM THE CHILD'S BIRTH;**
- (2) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF BABY'S MILK, FOOF AND FOOD SUPPLEMENTS MADE WITHIN A PERIOD OF TWO (2) YEARS FROM THE CHILD'S BIRTH;**
- (3) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF MEDICINES AND OTHER MEDICAL SUPPLIMENT/SUPPIES FOR THE CHILD MADE WITHIN A PERIOF OF FIVE (5) YEARS FROM THE CHILD'S BIRTH;**
- (4) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF SCHOOL SUPPLIES FOR THE CHILD, FOR PURCHASES MADE FROM THE CHILD'S BIRTH UNTIL TWENTY-ONE (21) YEARS OF AGE;**
- (5) TAX AMNESTY AND/OR REDUCTION OF REAL ESTATE OR INHERITANCE TAXES OF SOLO PARENT;**
- (6) BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS (PHP50,000.00) IN ADDITION TO THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR HIS DEPENDENT CHILD OR CHILDREN; AND**

- (7) TEN PERCENT (10%) TUITION FEE DISCOUNT FROM PUBLIC AND PRIVATE SCHOOLS FOR THE CHILD OR CHILDREN FROM GRADE SCHOOL TO COLLEGE.

COMPANIES OR BUSINESSES FROM WHOM DISCOUNTED PURCHASES ARE MADE AS PER THE IMMEDIATELY FOREGOING SECTION SHALL BE ENTITLED TO CLAIM THE SAID DISCOUNTS AS PART OF THEIR BUSINESS EXPENSE, PROVIDED THAT, THEY MAINTAIN DETAILED AND SEPARATE RECORDS OF SAID PURCHASES.

SECTION 5. There shall also be created and inserted Section 13-A to read as follows:

“SECTION 13-A. PENALTIES – ANY PERSON, CORPORATION, ENTITY OR AGENCY WHICH REFUSES OR FAILS TO PROVIDE THE BENEFITS GRANTED TO 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 (PHP10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (PHP 50,000.00) 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 ANY SUBSEQUENT VIOLATION – A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (PHP 100,000.00) BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS (PHP 200,000.00) OR IMPROSONMENT OF NOT LESS THAN ONE (1) YEAR BUT NOT MORE THAN TWO (2) YEARS, OR BOTH, AT THE DISCRETION OF THE COURT.

ANY PERSON WHO MISINTERPRETS THE 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 A FINE NOT LESS THAN TEN THOUSAND PESOS (Php 10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (Php 50,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS.

IF THE OFFENDER IS A CORPORATION, PARTNERSHIP OR ORGANIZATION OR ANY SIMILAR ENTITY, EMPLOYEES AND OFFICIALS THEREFORE DIRECTLY INVOLVED SHALL INDIVIDUALLY BE HELD LIABLE THEREFORE.

IF THE VIOLATOR IS AN ALIEN OR A FOREIGNER, HE SHALL BE DEPORTED IMMEDIATELY AFTER SERVICE OF SERVICE OF SENTENCE WITHOUT FURTHER DEPORTATION PROCEEDINGS.

UPON FILING OF AN APPROPRIATE COMPLAINT AND AFTER DUE NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE THE CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT, PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES GRANTED TO ANY BUSINESS THAT FAILS TO ABIDE BY THE PROVISION OF THIS ACT.

ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED HEREIN SHALL BE PUNISHED WITH A FINE NOT LESS THAN TEN THOUSAND PESOS (PHP 10,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS (PHP 50,000.00) AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS.

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UPON FINDING OF THE INTER-AGENCY COMMITTEE THAT A DEPARTMENT, AGENCY OR INSTRUMENTALLY OF THE GOVERNMENT, A GOVERNMENT OWNED OR CONTROLLED CORPORATION (GOCC) OR A LOCAL GOVERNMENT UNIT HAD VIOLATED ANY PROVISION OF THIS ACT, SANCTIONS UNDER THE ADMINISTRATIVE LAW, CIVIL SERVICE OR OTHER LAWS MAY BE RECOMMENDED TO THE CSC OR THE DILG AGAINST THE HEAD OF THE AGENCY OR THE LOCAL CHIEF EXECUTIVE AND THE PERSON DIRECTLY RESPONSIBLE FOR THE VIOLATION."

SECTION 6. Rules and Regulations of the Interagency Committee. – Within a period of not more than sixty (60) days from the effectivity of this Act, the Interagency Committee created by the Act shall come up with the rules and regulations necessary for the proper implementation of the amendments to the same.

SECTION 7. Repealing Clause – All laws, decrees, executive orders, administrative orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 8. Separability Clause. – If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SECTION 9. Effectivity Clause. – This act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,

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