



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5459



Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

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

EXPLANATORY NOTE

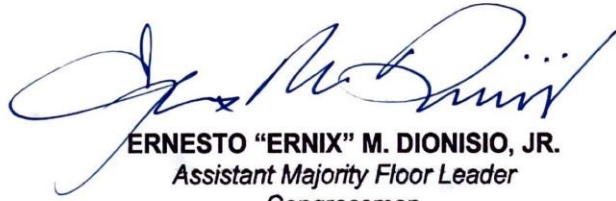
The safety and well-being of the children should always be a primordial interest of the state.

Article XV, Section 3 of the 1987 Constitution states: “The State shall defend:
xx (2) 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.”

In line with this, whenever parents step out of the household with their offspring, it is in the latter’s best interests that mechanisms are put into place to ensure a child-friendly environment.

As such, this bill seeks to introduce mandating child-friendly seats in establishments, both private and public. Likewise, making diaper-changing rooms obligatory, than optional, will make child-rearing easier for hardworking parents.

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

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



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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 “Infant-Friendly Facilities Act.”

SECTION 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 childcare responsibilities. Towards this end, this State shall ensure that these facilities are sanitary, safe and readily available and accessible for all persons, and shall specialized seating for infants and children.

SECTION 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 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 working condition;

- e) *Food Service Establishment* shall mean any privately owned facility business, firm or enterprise that is primarily oriented towards the provision of food and related services. 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 do not allow persons under 18 years of age to enter the premises;
- f) *Major establishments* shall include malls, shopping centers, theaters, 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 that are open to the public, and establishments measuring 25,000 feet or more, excluding industrial buildings and nightclubs or bars that do not permit anyone who is under 18 years of age to enter the premises, among others;
- g) *Government offices* shall mean all local and national government offices, agencies, and government-owned and controlled corporations; and
- 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.

I. ACCESS TO CHILD-FRIENDLY SEATING

SECTION 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 the services of the establishment.

SECTION 5. Proportion of Child-Friendly Seating to Common Seating. - Food service establishments shall have at least one (1) child-friendly seat for every ten (10) common seats available.

SECTION 6. Safety of Child-Friendly Seats. – Child-friendly equipment must conform to standards as recommended by the Department of Health (DOH) and other relevant stakeholders.

II. ACCESS TO DIAPER-CHANGING STATIONS FOR MEN’S AND WOMEN’S RESTROOMS

SECTION 7. General. - All major establishments and government offices shall be have at least one (1) 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; Provided, That a diaper-changing station shall be available in each floor occupied by the major establishment and the government office.

SECTION 8. Diaper-Changing Stations in Public Spaces. – At least one (1) safe, sanitary and convenient baby diaper-changing stations which are accessible to both men and women shall be provided in public parks and recreation areas.

SECTION 9. Exceptions. - Section 7 of this Act shall not apply to a restaurant with a seating capacity of at least 50 people, if there is a centrally located facility with a baby diaper-changing station located within 300 feet of the entrance to the restaurant.

SECTION 10. Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the Department of Health (DOH) and other relevant stakeholders shall promulgate the implementing rules and regulations for the proper implementation of this Act.

SECTION 11. Transition Period. - All covered establishments existing at the time of the approval of this Act and government offices shall have a period of one year from the effectivity of this Act to comply with the provisions hereof.

SECTION 12. Penalties. - A major establishment or food service establishment that fails to comply with any provisions of this Act shall be liable for a fine of Two Thousand Pesos (Php2,000.00) for every day of violation.

SECTION 13. 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.

SECTION 14. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 15. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,