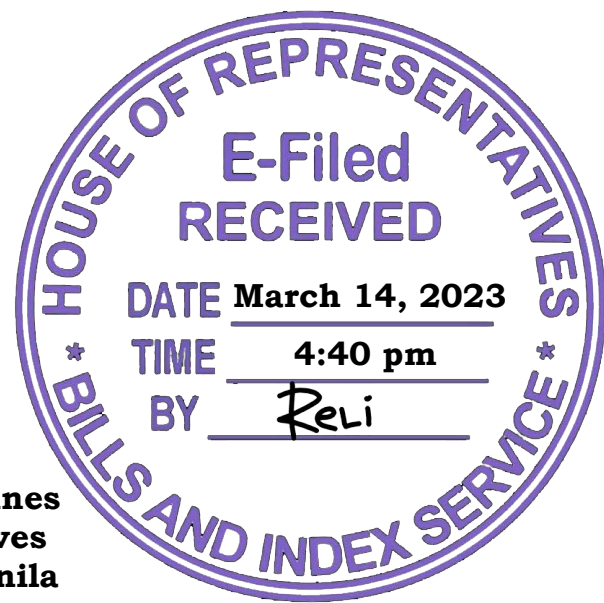




**Republic of the Philippines
House of Representatives
Quezon City, Metro Manila**

**Nineteenth Congress
First Regular Session**

HOUSE BILL NO. 7595



Introduced by Representative Rudys Caesar G. Fariñas I

EXPLANATORY NOTE

This proposed measure prohibits discrimination of children on account of their illegitimacy. The salient features this bill are:

- Specific acts of unlawful discrimination based on illegitimacy or birth out of wedlock shall be prohibited for any natural or juridical person.
- Penalties for unlawful discrimination shall be the payment of a fine or imprisonment. In addition, the court may also impose the rendition of community service including attendance in human rights education and familiarization with and exposure to the plight of children discriminated by reason of their illegitimacy or birth out of wedlock.
- Programs to promote non-discrimination to encourage sectors of society to engage and participate in Social Protection and Inclusiveness Programs.

Hence, the passage of this measure is sought.



RUDYS CAESAR G. FARIÑAS I



**Republic of the Philippines
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HOUSE BILL NO. 7595

Introduced by Representative Rudys Caesar G. Fariñas I

**AN ACT
PROHIBITING DISCRIMINATION AGAINST CHILDREN ON ACCOUNT OF
ILLEGITIMACY OR BIRTH OUT OF WEDLOCK AND PROVIDING PENALTIES
THEREFOR**

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

1 SECTION 1. Short Title. – This Act shall be known as the “Anti-Discrimination
2 of Illegitimacy Act.”
3

4 SEC. 2. Declaration of Policy. – It is the policy of the State to protect and
5 promote the right of all citizens to quality education at all levels and to take
6 appropriate steps to make such education accessible to all. For this purpose,
7 the State shall consistently work toward the elimination of all forms of
8 discrimination against children by reason of illegitimacy or being born out of
9 wedlock.
10

11 SEC. 3. Unlawful Discrimination. – As used in this Act, discrimination refers to
12 any distinction, exclusion, restriction, or preference which is based on the child’s
13 illegitimacy or birth out of wedlock.
14

15 It shall be unlawful for any person, natural or juridical, to engage in any of the
16 following acts of discrimination:
17

- 18 a. Refusing admission or expelling from any educational or training
19 institution on the basis of a child’s illegitimacy or birth out of wedlock;
20
21 b. Including the illegitimate birth of a child as criteria for admission, transfer,
22 dismissal, access to scholastic development opportunities, trainings,
23 grants or scholarships;
24

- c. Imposing school requirements, restrictions or prohibitions that are harsher than what are customary and which infringe on the rights of the child by reason of the child's illegitimacy or birth out of wedlock;
- d. Publishing information intended to cast out or reveal the illegitimate birth status of a child without the consent of the parents or guardian or if such publication has been deliberately made with malicious intent;
- e. Making derogatory comments through any form of medium which tend to annoy, insult, bully, demean, offend, threaten, intimidate, alarm or create a hostile or emotionally distressing environment and which behavior is motivated by the offender's bias, belief or perception regarding the child's illegitimacy or birth out of wedlock; and
- f. Subjecting a child to any other analogous acts that shall have the effect or purpose of impairing or nullifying the enjoyment, recognition, or exercise of the child's rights and freedoms.

As used in this Act, children conceived and born outside a valid marriage are illegitimate as provided under Executive Order No. 209, Series of 1987, otherwise known as the "Family Code of the Philippines."

SEC. 4. Penalties. – Any person who commits any of the discriminatory practices mentioned in Section 3 of this Act shall, upon conviction, pay a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred thousand pesos, or imprisonment of not less than one (1) year but not more than six (6) years, or both, at the discretion of the court. In addition, the court may impose upon a person found to have committed any of the prohibited acts the rendition of community service including attendance in human rights education and familiarization with and exposure to the plight of children discriminated by reason of their illegitimacy or birth out of wedlock.

If the violation or offense is committed by a corporation, partnership, association or other juridical entities, the penalty provided for in this section shall be imposed upon the directors, officers, employees or other officials or persons therein responsible for the offense without prejudice to the civil liabilities arising from the criminal offense.

Any action arising from the violation of the provisions of this Act shall prescribe in three (3) years.

SEC. 5. Programs to Promote Non-Discrimination. – The State shall pursue initiatives and programs to establish and maintain an environment free of stigma and discrimination. The State shall direct and utilize its machinery and resources to promote non-discrimination and shall encourage other sectors of society to engage and participate in the implementation of the following programs:

- a. Social Protection Programs – The National Government shall ensure that a child or student vulnerable to stigma and discrimination on the basis of the child's illegitimacy or birth out of wedlock are integrated into government-run social protection programs; and
- b. Inclusiveness Programs – All government agencies, including government-owned and -controlled corporations, local government units, private

1 business organizations, public and private educational institutions, and
2 other entities shall establish inclusiveness programs. These institutions
3 shall also endeavor to provide or conduct trainings for their staff,
4 employees, students and trainees, and constituents to ensure that human
5 rights violations and violence on the basis of the child's illegitimacy or birth
6 out of wedlock are prevented.

7
8 Such institutions may incorporate these activities into their existing
9 development training programs or school curricula. The above-listed
10 agencies, business organizations and institutions shall create an internal
11 redress mechanism to address cases of discrimination and develop
12 administrative remedies or sanctions for such cases.

13
14 SEC. 6. Implementing Rules and Regulations. – Within sixty (60) days from the
15 effectivity of this Act, the Department of Education shall, in coordination with
16 the Commission on Higher Education, the Technical Education and Skills
17 Development Authority, the Commission on Human Rights, the National Youth
18 Commission, the Philippine Statistics Authority, and the Department of Labor
19 and Employment, promulgate the necessary rules and regulations for the
20 effective implementation of the provisions of this Act.

21
22 SEC. 7. Repealing Clause. – All laws, decrees, executive orders, proclamations,
23 executive issuances or parts thereof which are inconsistent with or contrary to
24 the provisions of this Act are hereby repealed or modified accordingly.

25
26 SEC. 8. Effectivity Clause. – This Act shall take effect fifteen (15) days after its
27 publication in the Official Gazette or in a newspaper of general circulation.

28
29 Approved,