

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

House Bill No. 7700

**Introduced by REPRESENTATIVES LANI MERCADO-REVILLA,
BRYAN B. REVILLA AND RAMON JOLO REVILLA III**

**AN ACT
CREATING THE NATIONAL NUTRITION COMMISSION, REPEALING FOR THE
PURPOSE PRESIDENTIAL DECREE NO. 491, ENTITLED "CREATING A
NATIONAL NUTRITION COUNCIL AND FOR OTHER PURPOSES"**

EXPLANATORY NOTE

The Philippines has an obligation to protect and promote the right to nutrition and adequate food under relevant domestic and international laws: 1987 Philippine Constitution; Universal Declaration of Human Rights; International Covenant on Economic, Social, and Cultural Rights; Convention on the Elimination of All Forms of Discrimination Against Women; Convention on the Rights of the Child, as well as the United Nations 2030 Agenda for Sustainable Development.

In line with this, several offices of government have taken on the task of directly or indirectly protecting and promoting the right to nutrition and adequate food, namely: The National Nutrition Council, created through Presidential Decree (PD) No. 491, s. 1974; National Food Authority, established through PD No. 4, s. 1972; Anti-Hunger Task Force, created through Executive Order (EO) No. 616, s. 2007; Inter-Agency Task Force on Hunger, established through EO No. 101, s. 2020; Presidential Assistant for Food Security and Agricultural Modernization under the Office of the President, established through Memorandum Order No. 70, s. 2014; Food and Nutrition Research Institute, which is one of the research and development institutes of the Department of Science and Technology; and, Department of Agriculture, specifically through its Food Staples Sufficiency Program.

While the government has committed to AmBisyon Natin 2040, which promises a strongly rooted, comfortable, and secure life for every Filipino, where “no one is poor, no one is ever hungry,” undernutrition and malnutrition remain as perennial problems besetting the country. In fact, the Philippines missed its Millennium Development Goal of lowering the undernutrition and malnutrition rate to 15% by 2015, and the problem appears to be getting worse. The World Bank reports that as of 2019, one in every three Filipino children younger than five years old suffer from stunting, resulting in the country being ranked fifth among countries in the East Asia and Pacific Region with the highest number of stunted children.

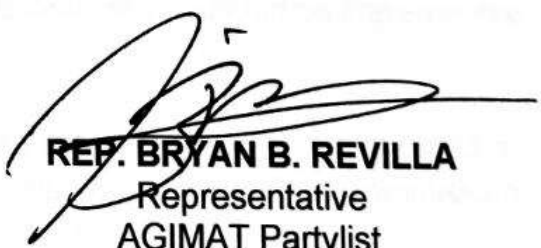
The effect of COVID 19 on the economy has made hunger, undernutrition and malnutrition even worse in the country. The Social Weather Stations reported an alarming 31% of families experiencing hunger, and 9% suffering severe hunger in September 2020, seven months after the enforcement community quarantine—in both cases, the highest levels recorded in more than 20 years.

In this regard, this Bill seeks to create a National Nutrition Commission to serve as the overarching agency responsible for establishing a unified policy direction and a comprehensive approach towards food accessibility and security, improved nutrition and overall health development of the Filipino people. This shall replace the existing National Nutrition Council, as well as streamline the nutrition functions rendered by other offices of government. Furthermore, nutrition programs at sub-national levels shall be guaranteed with manpower complement, as a way of improving nutrition performance.

Immediate passage of this bill is hereby earnestly sought.



REP. LANI MERCADO-REVILLA
Representative
2nd District of Cavite



REP. BRYAN B. REVILLA
Representative
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HOUSE BILL NO. 7700

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AN ACT
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PURPOSE PRESIDENTIAL DECREE NO. 491, ENTITLED "CREATING A
NATIONAL NUTRITION COUNCIL AND FOR OTHER PURPOSES"

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

1 **Section 1. Short Title.** - This Act shall be known as the "*National Nutrition*
2 *Commission Act of 2023.*"

3
4 **Section 2. Declaration of Policy.** - The State recognizes nutrition as a basic
5 human right and guarantees the right to adequate food, which should be implemented
6 by the government in an integrated fashion.

7
8 **Section 3. The National Nutrition Commission.** - There is hereby created an
9 agency attached to the Office of the President, the National Nutrition Commission,
10 hereinafter referred to as the Commission.

11
12 **Section 4. Powers and Functions of the Commission.** - The Commission shall
13 be the primary body to guarantee the implementation and full exercise of the right to
14 nutrition and adequate food with the aim of overcoming hunger and malnutrition.

15
16 The Commission shall have the following powers:

- 17
18 1) Formulate national food and nutrition policies and strategies, and serve as
19 the policy, coordinating and advisory body of food, nutrition and health
20 concerns;

- 2) Recommend to Congress measures to effectively promote the full realization of the right to nutrition and adequate food, and the harmonization of existing laws and issuances addressing food, nutrition and health concerns through the review of relevant administrative and legislative framework;
- 3) Make investigations upon all matters relating to the enforcement of the right to nutrition, health, and adequate food, and assist individuals and group of individuals to have access to legal assistance to better assert the progressive realization of their abovementioned rights;
- 4) Call on any department, bureau, office, agency and other instrumentalities of the government for assistance in the form of personnel, facilities and resources as the need arises;
- 5) Strengthen competencies and capabilities of stakeholders through public education, capacity building, and skills development;
- 6) Coordinate the release of funds, loans, and grants from government organizations and non-government organizations; and
- 7) Exercise such other powers and functions as are necessary for the implementation of this Act.

Section 5. *Composition of the Commission.* - The Commission shall be composed of a chairperson and two (2) commissioners, all of whom shall be appointed by the President for a term of four (4) years, without prejudice to one reappointment. They shall continue to hold office until their successors have been appointed. Any commissioner who shall be appointed to fill a vacancy shall serve only the unexpired portion of the term of the predecessor.

Section 6. *The Chairperson and the Commissioners.* - The Chairperson and the Commissioners of the Commission must be citizens of the Philippines, with considerable exposure to food security, good nutrition promotion, and mitigation of hunger, and malnutrition, at least thirty (35) years of age, and of good moral character. At least one (1) of them must be duly licensed to practice Medicine in the Philippines.

The Chairperson and Commissioners shall receive annual compensation and shall be entitled to other benefits and privileges provided under existing laws for a Department Secretary and Department Undersecretaries, respectively. They shall not, during their tenure, hold any other office or employment, or in the active management or control of any business which, in any way, may affect the functions of their office.

Section 7. Advisory Board. - There shall be constituted an Advisory Board which shall meet with the Commission at least once a year to assist it with its policies and plans.

The Board shall be composed of the following:

- 1) Department of Agriculture
- 2) Department of Agrarian Reform
- 3) Department of Education
- 4) Department of Health
- 5) Department of the Interior and Local Government
- 6) Department of Social Welfare and Development
- 7) Department of Budget and Management
- 8) Department of Science and Technology
- 9) Department of Trade and Industry
- 10) Commission on Human Rights
- 11) National Anti-Poverty Commission
- 12) Council for the Welfare of Children
- 13) National Economic and Development Authority
- 14) National Food Authority
- 15) Philippine Statistics Authority
- 16) League of Provinces of the Philippines
- 17) League of Cities of the Philippines
- 18) League of Municipalities of the Philippines
- 19) Nutrition Foundation of the Philippines
- 20) Nutrition Center of the Philippines

The members of the Advisory Board shall receive per diem for actual attendance in board meetings and reimbursement for actual and reasonable expenses and incentives as authorized by the Commission.

Section 8. Composition of the Secretariat. - The Commission shall establish a secretariat to be headed by an Executive Director, who must be a natural born citizen of the Philippines; at least thirty-five (35) years of age on the day of the appointment; holder of a college degree; with at least five (5) years executive and management experience; with considerable exposure to food security, good nutrition promotion, and mitigation of hunger, and malnutrition; and, a person of good moral character. *Provided*, That he or she shall be a career officer.

The Commission shall hire such other personnel as may be necessary for the performance of its basic functions.

Section 9. Nutrition Office. – For the effective implementation of nutrition programs at sub-national levels, every province and city/municipality shall have a

1 nutrition office. The Provincial Nutrition Office shall be headed by a Provincial Nutrition
2 Action Officer, supported by a Provincial Nutrition Coordinator and other adequate
3 staff complement. The City/Municipal Nutrition Office shall be headed by a
4 City/Municipal Nutrition Action Officer, supported by other adequate staff complement.

5
6 Plantilla positions for the staff composing the said offices shall be determined
7 by the Commission and created by local government units, in consultation with the
8 Civil Service Commission and the Department of Budget and Management.

9
10 **Section 10. *Research and Policy Development Support.*** - The Food and
11 Nutrition Research Institute of the Department of Science and Technology, as well as
12 other agencies of government and private entities which are performing nutrition
13 research, shall cooperate with the Commission for research and policy development.

14
15 **Section 11. *Tax Exemptions.*** - Any donation, contribution, bequest, and grant
16 which may be made to the Commission shall constitute as allowable deduction from
17 the income of the donor for income tax purposes and shall be exempt from donor's
18 tax, subject to such conditions as provided under the National Internal Revenue Code,
19 as amended.

20
21 **Section 12. *Transitory Provisions.*** - The National Nutrition Council is
22 reconstituted as the National Nutrition Commission. Such personnel, properties,
23 assets and liabilities, functions and responsibilities of the Council are hereby
24 transferred to or absorbed by the Commission. Incumbent officials and employees
25 shall continue to exercise their respective functions and responsibilities with the
26 corresponding benefits and privileges.

27
28 Within thirty (30) days from the date of effectivity of this Act, the President of
29 the Philippines shall appoint the incumbent Executive Director and Deputy Executive
30 Directors of the Council to serve as Chairperson and Commissioners, respectively.
31 The President shall also appoint the Commission's Executive Director within the
32 aforementioned time period.

33
34 **Section 13. *Authorization of Appropriations.*** - The funding requirements
35 necessary to carry out the provisions of this Act, with the exception of Section 9, shall
36 be charged to the current fiscal year appropriations of the National Nutrition Council.
37 Thereafter, such sum as may be necessary is hereby authorized to be appropriated in
38 the General Appropriations Act of the year following its enactment into law.

39
40 **Section 14. *Implementing Rules and Regulations.*** - Within sixty (60) days from
41 the appointment of the Chairperson and Commissioners, the Commission, in
42 coordination with the members of the Advisory Board, shall promulgate the necessary
43 rules and regulations for the effective implementation of this Act.

1 **Section 15. *Separability Clause.*** – If any provision or part hereof is held invalid
2 or unconstitutional, the remainder of this Act or the provision or part not otherwise
3 affected shall remain valid and subsisting.
4

5 **Section 16. *Repealing Clause.*** – Presidential Decree (PD) No. 491, s. 1974,
6 Executive Order (EO) No. 285, s. 1971; EO No. 234, s. 1987, Administrative Order
7 No. 88, s. 1988, EO No. 472, s. 2005, EO No. 616, s. 2007, EO No. 101, s. 2020, and
8 all other laws, presidential decrees or issuances, executive orders, letters of
9 instruction, administrative orders, rules or regulations contrary to or inconsistent with
10 the provisions of this Act are hereby repealed, modified, or amended accordingly.
11

12 **Section 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
13 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,