



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 7869



Introduced by Representative Ma. Lucille L. Nava, M.D.

EXPLANATORY NOTE

From infancy until seniority, nutrition plays a vital role in the health of a person.

It is enshrined in Article II, Section 15 of the 1987 Philippine Constitution that “***The State shall protect and promote the right to health of the people and instill health consciousness among them***”.

In pursuant to the above provision, this Bill seeks the strengthen the mandate of the National Nutrition Council through the creation of a National Nutrition Commission. The National Nutrition Commission is expected to bridge the gaps between the stakeholders, and shall formulate a comprehensive National Nutrition Plan. The Philippine National Nutrition Plan will serve as a road map in eradicating malnutrition in the country.

Chronic malnutrition has been identified as one of the primary hindrances in the proper development of children which in turn causes stunting. In a 2021 study, it has been found that “*chronic malnutrition is a human development disaster. Its consequences are multi-faceted and extreme, which reverberate throughout the lifespan. Chronic malnutrition leads to poorer cognitive ability and educational outcomes, and lower adult earnings. Improving the nutritional status of children hence becomes critical and should be at the front and center health economic policy dialogue.*”¹

Urgent action and intervention in the National Nutrition Council to better arm them in combatting widespread malnutrition in the country is the utmost priority of this legislation.

Hence, swift approval of this Bill is earnestly sought.

MA. LUCILLE L. NAVA, M.D., FPCP, MPA

¹ Ulep, Valerie, Gilbert T., Breaking the Curse: Addressing Chronic Malnutrition in the Philippines Using a Health System Lens, 2021



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HOUSE BILL NO. **7869**

**STRENGTHENING THE NATIONAL NUTRITION COUNCIL
REPEALING FOR THIS PURPOSE PRESIDENTIAL DECREE
NO. 491, ENTITLED CREATING A NATIONAL NUTRITION
COMMISSION, EXPANDING ITS POWERS AND
FUNCTIONS, AND APPROPRIATING FUNDS THEREFORE**

Be it enacted by the Senate and House of Representatives of the Philippine Congress Assembled:

Section 1. Short Title. This Act shall be known as the “*Nutrition Act of 2023*”.

Section 2. Declaration of Policy. It is a declared policy of the State under Article II, Section 15 of the 1987 Constitution, to guarantee the right of Filipinos to health and instill health consciousness among them.

In various international agreements, the State commits the enhancement of the nation’s health sector and its social protection programs consistent with the principles embodied in the International Covenant on Economic, Social and Cultural Rights, the Convention of the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination Against Women. Therefore, the State ensures to:

1. Provide good nutrition;
2. Provide food security
3. Eliminate hunger
4. Reduce all forms of malnutrition
5. Improve the quality of life
6. Prioritize nutrition for all age groups; and
7. Collaborate across all branches of government, local government units, civil society organizations, and private sectors to guarantee improved human health and well-being.

Section 3. Renaming of the National Nutrition Council. The nomenclature of the National Nutrition Council established pursuant to Presidential Decree No, 491, as amended, is hereby changed to **National Nutrition Commission**, hereinafter referred to in this Act as the “Commission”, which shall be attached to the Office of the President for general direction and coordination.

Section 4. Composition of the Commission. – The Commission shall be headed by a Chairperson with a rank of Cabinet Secretary and Two (2) Commissioners with the rank of Undersecretary. They shall be appointed by the President for a term of six years with one reappointment, and shall be entitled to retirement benefits provided under Republic Act 1568, as amended by Republic Act 3595. Appointments to a vacancy that occurs before the expiration of the term of a Chairperson or Commissioner shall cover only the unexpired term of the immediate predecessor. At the expiration of the term of the Chairperson or in case of vacancy, the most senior of the Commissioners shall temporarily assume and perform the duties and functions of the Chairperson until a permanent Chairperson is appointed by the President. The Chairperson and the Commissioners shall office until their successors are appointed.

The Commission shall appoint its officers and employees in accordance with the Civil Service law, rules and regulations.

The Commission shall be the primary policy-making, coordinating, implementing, and advisory body on nutrition and food concerns.

Section 5. Powers, Functions, and Responsibilities of the Commission – The powers, functions and responsibilities of the Commission are as follows:

1. To formulate an integrated and multi-sectoral national policies, programs, activities, and projects on nutrition and food to ensure good nutrition, eliminate hunger, and food security.
2. To supervise, coordinate, monitor, and evaluate the implementation of its programs, projects, and activities undertaken by all agencies and instrumentalities of both the government and private sector concerning nutrition and food. It shall coordinate with the National Disaster Risk Reduction and Management Council and Department of Social Welfare and Development to ensure proper nutrition and food during emergency disasters.
3. To provide technical assistance to increase competencies and capabilities of stakeholders and health workers through the conduct of public education, capacity building, skills development, and advocacy.
4. To establish a continuing program for information dissemination and awareness.
5. To create and maintain a system for nutrition surveillance with gender perspective.
6. To coordinate the release of public funds for nutrition and food in accordance with the approved projects, activities and programs.
7. To coordinate all requests for loans and grants by the government agencies involved in nutrition and food programs.
8. To provide monetary and non-monetary incentives to nutrition champions by establishing a rewards and recognition system.
9. To 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.

Section 6. Provisional Members and Linkages – The Commission, upon call, shall have the support, assistance, and coordination of the following provisional members:

1. Undersecretaries of the following government bodies:
 - a. Department of Health

- b. Department of Agriculture
 - c. Department of Interior and Local Government
 - d. Department of Education
 - e. Department of Social Welfare and Development
 - f. Department of Trade and Industry
 - g. Department of Labor and Employment
 - h. Department of Science and Technology
 - i. Department of Budget and Management
 - j. National Economic and Development Authority
2. Presidents of the Leagues of Local Government Units
 - a. League of Provinces
 - b. League of Cities
 - c. League of Municipalities
 - d. Liga ng mga Barangay
 3. Maximum of three (3) representatives from any of the following private sector:
 - a. Health and nutrition professional organizations
 - b. Farmers and fisherfolks
 - c. Women
 - d. Children
 - e. Urban poor
 - f. Food Manufacturing
 - g. Academe and Research Institutions
 - h. Organizations or Associations of Community Health Workers or Barangay Nutrition Scholars
 - i. Non-government Organizations

The Commission and the provisional members shall sit en banc for the purpose of approving the Philippine Plan of Action for Nutrition (PPAN) and for other purpose as may be determined by the Chairperson.

The provisional members shall have the honoraria of P 10,000.00. or 5% of their respective basic salaries, whichever is higher per meeting.

Section 7. Philippine Plan of Action for Nutrition (PPAN). A six year multi-sectoral and integrated national nutrition plan of action shall be developed and formulated by the Commission. The PPAN should be aligned with the Philippine Development Plan. In developing the PPAN, the policies, principles and programs embodied in the Food Fortification Law (Republic Act No. 8976), Act for Salt Iodization Nationwide Law (Republic Act No. 8172), Nutrition and Dietics Law of 2016 (Republic Act 10866), Masustansyang Pagkain para sa Batang Pilipino Act (Republic Act No. 11037), Kalusugan at Nutrisyon ng Mag Nanay Act (Republic Act No.11148) and all the relevant laws on nutrition and food security to be enacted hereafter must be considered.

The PPAN must be concurred by its provisional members. The PPAN must be submitted to the Office of the President for direction and coordination.

Section 8. Nutrition Month. – The month of July shall be designated as NUTRITION MONTH for the purpose of creating greater awareness among the people on the importance of nutrition. The Commission shall formulate and approve programs and activities for nutrition month which should be coordinated across all sector whether public or private.

1 Section 9. Donations. – The Commission shall be authorized to receive donations,
2 grants, gifts, in whatever form and from whatever sources.: Provided, that said grants,
3 gifts, or donations shall be administered, obligated and disbursed in accordance with
4 the terms of the grant or donation and in such manner as the Commission may in its
5 discretion determine.
6

7 Section 10. Retention of Personnel; Security of Tenure; Upgrading of Positions and
8 Salaries.

9 All existing permanent personnel of the National Nutrition Council shall not be
10 adversely affected by this Act. They shall continue in office and shall not be removed
11 or separated from the service except for cause as provided for by existing laws.
12 Further, the present positions and salaries of personnel shall be upgraded to the level
13 of their counterparts in a department set-up. The Commission shall hire such other
14 personnel as may be necessary for the performance of its functions.
15

16 Section 11. Transitory Provisions. – In consonance with the above provision, the
17 incumbent Executive Director and Deputy Executive Directors shall serve as the first
18 Chairperson and Commissioners upon effectivity of this Act.
19

20 Section 12. Appropriations. – The State shall hereby provide the initial amount
21 necessary for the organizational and operational requirements of this Act. Thereafter,
22 the amount necessary to carry out the provisions of this Act shall be included in the
23 General Appropriations Act of the year following its enactment into law and
24 thereafter.
25

26 Section 13. Repealing Clause. Presidential Decree No. 491, as amended by Executive
27 Order No. 234 s.1987, Administrative Order No. 88 s. 1988 and Executive order No.
28 s. 2005 is hereby repealed. All other laws, executive orders, executive issuances, or
29 letter of instructions, or any part thereof, inconsistent with or contrary to the
30 provisions of this Act are hereby deemed repealed, amended or modified accordingly.
31

32 Section 14. Separability Clause. – If for any reason, any section or provision of this
33 Act shall be declared unconstitutional or invalid, the other parts thereof not affected
34 thereby shall remain valid.
35

36 Section 15. Effectivity Clause. – This Act shall take effect after fifteen. (15) days
37 following its publication in at least two (2) newspapers of general circulation.
38

39 Approved,