

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 9811



Introduced by Representative CAMILLE A. VILLAR

AN ACT

EXTENDING THE NATIONAL FEEDING PROGRAM TO UNDERNOURISHED CHILDREN IN SECONDARY SCHOOLS AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 11037, ENTITLED, "AN ACT INSTITUTIONALIZING A NATIONAL FEEDING PROGRAM FOR UNDERNOURISHED CHILDREN IN PUBLIC DAY CARE, KINDERGARTEN AND ELEMENTARY SCHOOLS TO COMBAT HUNGER AND UNDERNUTRITION AMONG FILIPINO CHILDREN AND APPROPRIATING FUNDS THEREFOR"

Explanatory Note

The 1987 Philippine Constitution provides that the State shall defend 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 (Article XV, Section 3, (2)).

Republic Act No. 11037, or the "Masustansyang Pagkain para sa Batang Pilipino Act" which was signed into law in 2018 also provides that the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. In recognition of the demonstrated relationship between food and nutrition, and the capacity of students to develop and learn, the State shall establish a comprehensive national feeding program that will address the problem of undernutrition among Filipino children.

The objectives of the Masustansyang Pagkain para sa Batang Pilipino Act is laudable. Since its approval, the concerned government agencies have made great strides in its implementation. This proposed measure seeks to expand the coverage of the National Feeding Program, and further improve the current law.

The proposed legislation seeks to amend Republic Act No. 11037 to include secondary students in its coverage as malnutrition is not limited to day care,

kindergarten or elementary students. This bill likewise strengthens the coordination of Department of Education (DepEd) with micro-, small and medium-sized enterprises (MSMEs), farmers cooperatives or associations, and community-based and grassroots initiatives from which DepEd shall source the meals for the program, whenever practicable.

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

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

SECTION 1. Section 4 of Republic Act No. 11037, entitled, "AN ACT
INSTITUTIONALIZING A NATIONAL FEEDING PROGRAM FOR
UNDERNOURISHED CHILDREN IN PUBLIC DAY CARE, KINDERGARTEN
AND ELEMENTARY SCHOOLS TO COMBAT HUNGER AND
UNDERNUTRITION AMONG FILIPINO CHILDREN AND APPROPRIATING
FUNDS THEREFOR" is hereby amended to read as follows:

x x x

“(a) Supplemental Feeding Program for Day Care Children. – The DSWD, in coordination with the LGUs concerned, shall implement a supplemental feeding program for undernourished children with ages three (3) to five (5) years. The Program shall be administered in day care centers or in any other facility which can be used for such purpose: *Provided*, That the Program shall include the provision of at least one (1) fortified meal for a period of not less than one hundred twenty (120) days in a year: **PROVIDED, FURTHER, THAT THE AFORMENTIONED MEALS SHALL COST AN AVERAGE OF TWENTY-NINE PESOS (P29.00) PER MEAL TO ENSURE THAT DAY CARE CHILDREN RECEIVE THE APPROPRIATE AMOUNT OF NUTRITION, WHICH MAY BE ADJUSTED EVERY YEAR TO ACCOUNT FOR INFLATION AND/OR FOR NUTRITIONAL ADJUSTMENTS AS RECOMMENDED BY FNRI: PROVIDED, FURTHER, THAT FOR EACH DAY CARE CENTER OF DSWD, AN ALLOWANCE AMOUNTING UP TO TEN PERCENT (10%) OF THE TOTAL MEAL COST SHALL BE ALLOCATED TOWARDS MEAL DISTRIBUTION AND OTHER OVERHEAD COSTS OF THE PROGRAM:** *Provided, [further]* **FINALLY**, That in the preparation of fortified meals, the DSWD shall work in collaboration with recognized parents' organizations, **AS WELL AS THE PARENTS OF THE BENEFICIARIES OF THE PROGRAM, WHENEVER PRACTICABLE;**

“(b) School-Based Feeding Program. – The DepEd shall implement a school-based feeding program for undernourished public school children from kindergarten to grade [six (6)] **TWELVE (12)**: *Provided*, That the Program shall include the provision of at least one (1) fortified meal to all undernourished public **KINDERGARTEN, elementary, AND SECONDARY** school children for a period of not less than one hundred twenty (120) days in a year: **PROVIDED, FURTHER, THAT THE AFOREMENTIONED MEALS SHALL COST AN AVERAGE OF**

TWENTY-NINE PESOS (P29.00) PER MEAL TO ENSURE THAT SCHOOL CHILDREN RECEIVE THE APPROPRIATE AMOUNT OF NUTRITION, WHICH MAY BE ADJUSTED EVERY YEAR TO ACCOUNT FOR INFLATION AND/OR FOR NUTRITIONAL ADJUSTMENTS AS RECOMMENDED BY FNRI: *PROVIDED, FURTHER*, THAT FOR EACH SCHOOL DIVISION OF DEPED, AN ALLOWANCE AMOUNTING UP TO TEN PERCENT (10%) OF THE TOTAL MEAL COST SHALL BE ALLOCATED TOWARDS MEAL DISTRIBUTION AND OTHER OVERHEAD COSTS OF THE PROGRAM: *PROVIDED, FINALLY*, THAT IN THE PREPARATION OF FORTIFIED MEALS, THE DEPED SHALL WORK IN COLLABORATION WITH RECOGNIZED PARENTS' ORGANIZATIONS, AS WELL AS THE PARENTS OF THE BENEFICIARIES OF THE PROGRAM, WHENEVER PRACTICABLE;

x x x

“(h) Integrated Nutrition Education, Behavioral Transformation, and Social Mobilization. – The Program shall be complemented by a public health, nutrition, and values transformation campaign to promote a holistic and integrated approach to health and nutrition education. Orientation-training on the objectives and mechanics of the Program shall be held among the personnel of NGAs and LGUs concerned, [parent volunteers] **PARENTS OF THE BENEFICIARIES**, and the parent-teachers associations (PTAs) to generate support for the Program. The NGAs concerned shall also endeavor to mobilize community organizations to continue nutrition education outside of the school. **THE NGAS AND LGUS CONCERNED SHALL REGULARLY PROVIDE THE PARENTS OF PROGRAM BENEFICIARIES WITH TAILORED HEALTH AND NUTRITION EDUCATION WORKSHOPS. PARENTS OF PROGRAM BENEFICIARIES SHALL BE REQUIRED TO ATTEND SUCH**

**WORKSHOPS AS DETERMINED BY THE CONCERNED
AUTHORITY."**

SECTION 2. Section 5 (a) of the same Act is hereby amended to read as follows:

x x x

"(a) With the highest prevalence of undernutrition and nutrient-deficiency among children aged three (3) years up to grade [six (6)] **TWELVE (12)** level;"

x x x

SECTION 3. Section 7 of the same Act is hereby amended to read as follows:

"SEC. 7. *Local Government Assistance.* - LGUs shall assist the NGAs in the efficient and effective implementation of the Program in accordance with Section 4 of this Act and shall be authorized to use a portion of the Special Education Fund (SEF) and/or their twenty percent (20%) development fund **AND/OR OTHER LOCAL GOVERNMENT FUNDS** as provided for in Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", as amended, to augment the appropriations available under the General Appropriations Act (GAA)."

SECTION 4. Section 8 of the same Act is hereby amended to read as follows:

"SEC. 8. *Private Sector Participation.* - The NGAs shall encourage the participation of the private sector in the Program which shall include, among others, PTAs, private corporations, peoples and nongovernment organizations and such other groups or organizations, both foreign and local, that may want to be partner in whole or in part with the

implementation of the Program: *PROVIDED, THAT THE DEPED SHALL STRENGTHEN LINKAGES WITH MICRO, SMALL, AND MEDIUM ENTERPRISES, FARMERS COOPERATIVES OR ASSOCIATIONS, AND COMMUNITY-BASED AND GRASSROOTS INITIATIVES FROM WHICH DEPED SHALL SOURCE THE MEALS FOR THE PROGRAM, WHENEVER PRACTICABLE."*

SECTION 5. *Appropriations.* – The amount necessary for the implementation of this Act shall be included in the **RESPECTIVE** budgets of the Department of Education **AND DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT** in the annual General Appropriations Act.

SECTION 6. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Education **AND DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT** shall, in consultation with the National Nutrition Council, the Food and Nutrition Research Institute, the Department of Health, the Department of Agriculture, the Department of Interior and Local Government, and concerned LGUs, and such other relevant government agencies, nongovernment organizations, and development partners, promulgate the rules and regulations for the effective implementation of this Act.

SECTION 7. *Repealing Clause.* – Republic Act No. 11037 is hereby amended. All laws, presidential decrees, executive orders, resolutions, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 8. *Separability Clause.* – Should any provision of this Act or any part hereof be declared unconstitutional, the other provisions or parts not affected thereby shall remain valid and effective.

SECTION 9. Effectivity. – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,