Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session



House Bill No. 10072

Introduced by CIBAC Party-List Representative
Hon. Eduardo "Bro. Eddie" C. Villanueva

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

EXPLANATORY NOTE

Parents with little children in tow often find it difficult to enjoy their food while eating out, especially if the food service establishment does not have child-friendly seats. In addition, they also have difficulty finding an appropriate place to change the diapers of their babies in public places.

This bill seeks to provide relief to these parents by requiring food service establishments to provide child-friendly seats, and for major establishments and all government offices to have at least one diaper-changing station in each floor of their establishment and/or offices, accessible by both parents. Major establishments 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.

Covered establishments are also given one year from the effectivity of this Act to comply with these requirements. Any establishment found non-compliant with the foregoing requirements shall be meted a penalty of Php2,000 per day of violation.

Requiring child-friendly seats in these establishments seeks to ensure that patrons of food service establishments will be free from worry and anxiety when their children are present with them at these establishments. It also gives them comfort that they have an accessible place to go to when their children need to change.

Indeed, the passage of this bill is in accord with the Article 2 of the Consumer Act of the Philippines, which provides that "[i]t is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry" and to "implement measures [for their] protection against hazards to health and safety[.]"

The immediate passage of this bill is earnestly sought.



EDUARDO "BRO. EDDIE" C. VILLANUEVA

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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."

SEC. 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, the State shall ensure that these facilities are sanitary, safe and readily available and accessible for all persons, with specialized seating for infants and children.

SEC. 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 with safety features 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 both male and female can change the diaper of a child. The station shall accommodate at least a twenty (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 located 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 eighteen (18) years of age to enter the premises;

f) **Government offices** shall mean all local and national government offices, agencies, and government owned and controlled corporations; and

g) **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 fifty (50) people or more, gasoline stations that have restrooms that are open to the public, and establishments measuring twenty-five thousand (25,000) feet or more, excluding industrial buildings and nightclubs or bars that do not permit anyone who is under eighteen (18) years of age to enter the premises, among others;

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

SEC. 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.

SEC. 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.

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

SEC. 6. ***General*****. –** All major establishments and government offices shall have at least one (1) safe, sanitary, and convenient baby diaper-changing station that is accessible to both male and female; *Provided,* That a diaper-

changing station shall be available in each floor occupied by the major establishment and the government office.

SEC. 7. *Exceptions*. – Section 6 of this Act shall not apply to a restaurant with a seating capacity of at least fifty (50) people, if there is a centrally located facility with a baby diaper-changing station located within three hundred (300) feet of the entrance to the restaurant.

SEC. 8. *Transition Period*. – All covered establishments , including government offices, existing at the time of the approval of this Act shall have a period of one (1) year from the effectivity of this Act to comply with the provisions hereof.

SEC. 9. *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 up to Two Thousand Pesos (Php2,000.00) for every day of violation.

SEC. 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.

SEC. 11. *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.

SEC. 12. *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.

SEC. 13. *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,