



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

House Bill No. **21**



Introduced by Representative NIKO RAUL S.J. DAZA

EXPLANATORY NOTE

Article XV, Section 3(2) of the 1987 Constitution affirms the right of all 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. Despite this constitutional protection, however, a growing number of Filipino children are denied financial support by one or both of their biological parents, particularly in cases of separation, abandonment, or marital discord.

According to a 2020 census conducted by the **Philippine Statistics Authority (PSA)**, nearly **14 million children** in the Philippines live in **single-parent households**. Of these, approximately **60% are under the sole care of their mothers**, who often bear the full burden of parenthood, both financially and emotionally.¹ Documented evidence suggests that a significant portion of these children **do not receive regular or sufficient child support** from the non-custodial parent.

Meanwhile, in a **2019 study by the University of the Philippines Law Center**, it was found that **only 1 in 10 women** who file for child support in court **successfully receive full compliance** from the non-custodial parent.² The study identified several barriers to enforcement, including:

1. Lack of awareness among custodial parents of their legal remedies,
2. High cost and slow pace of litigation,
3. Absence of a centralized database or tracking mechanism for child support orders, and
4. Weak enforcement of existing penalties for non-compliance.

Furthermore, the **Department of Social Welfare and Development (DSWD)**, in its 2022 report on child welfare cases, emphasized that **non-payment of child support** was among the top ten reported complaints received by their regional and local offices.³ The DSWD has repeatedly called for more robust legislation to address this issue and protect children's rights to financial support.

¹ Philippine Statistics Authority. *2020 Census of Population and Housing (2020 CPH)*, "Household Population by Marital Arrangement and Presence of Parents." Quezon City: PSA, 2021.

² University of the Philippines Law Center. *Access to Justice for Child Support Cases in the Philippines: A Legal and Empirical Review*, 2019.

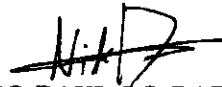
³ Department of Social Welfare and Development (DSWD). *2022 Annual Accomplishment Report*. Manila: DSWD Policy and Plans Bureau, 2023.

This proposed legislative measure seeks to institutionalize a **comprehensive child support enforcement framework** that will:

1. **Establish a National Child Support Registry**, in cooperation with the judiciary and relevant agencies, to monitor and enforce compliance with child support orders;
2. **Mandate timely and regular remittance of child support**, whether by direct payment, salary deduction, or other lawful means;
3. **Authorize legal sanctions** such as:
 - o Garnishment of wages,
 - o Suspension or revocation of government-issued licenses,
 - o Travel bans,
 - o Disqualification from government loans and permits, and
 - o Imposition of fines and community service;
4. **Empower DSWD and partner agencies** to provide legal aid, mediation, and enforcement assistance to custodial parents;
5. **Create a government-backed Child Support Guarantee Fund**, from which advances may be drawn to prevent children from suffering due to non-payment while recovery proceedings are underway against the delinquent parent.

This bill is also grounded on the principle that parenthood entails continuous responsibility by both parents, regardless of any marital issues between husband and wife. Indeed, separation, annulment, or even non-marriage do not sever the legal and moral duty of a parent to support their child. By strengthening the mechanisms for child support enforcement, the State upholds the dignity and rights of children and ensures that no child is left behind due to parental neglect.

In view of the foregoing, the passage of this measure is earnestly sought.



NIKO RAUL S.J. DAZA

Representative, 1st District of Northern Samar



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**“AN ACT
ENSURING CHILD SUPPORT AND PENALIZING PARENTAL REFUSAL OR NEGLECT
THEREOF”**

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 “*Child Support Responsibility Act.*”
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3 **SEC. 2. *Declaration of Policy.*** —It is the policy of the State to afford greater protection to Filipino
4 children, recognizing them as one of the most vulnerable sectors of society. The State shall uphold the
5 rights of children and ensure the provision of their fundamental needs, including nutritious food,
6 adequate shelter, education, and healthcare.
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8 Pursuant to Article II, Section 13 of the 1987 Philippine Constitution, the State shall promote and protect
9 the physical, mental, emotional, and social well-being of all children. As a State Party to the United
10 Nations Convention on the Rights of the Child, the Philippines reaffirms its commitment to exert all
11 appropriate efforts to promote the holistic development of children, enabling them to grow into
12 responsible and productive members of society.
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14 It shall also be the policy of the State to:
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- 16 (a) Strengthen marriage as a vital social institution and a foundational element in promoting the best
17 interests of the child;
18 (b) Promote responsible parenthood as essential to effective child-rearing and development;
19 (c) Ensure the enforcement of child support obligations in all cases;
20 (d) Assist families and parents in establishing paternity and filiation; and
21 (e) Implement preventive measures to ensure children are not left without support, including:
22 securing parents’ access to sustainable livelihood and decent wages; providing parenting
23 programs to promote understanding of parental duties in child development and care;
24 strengthening parent-child relationships through education and awareness; enhancing parental
25 responsiveness to the needs and challenges faced by children; and encouraging active parental
26 participation in family and community-based initiatives.

27 **SEC. 3. *Definition of Terms.*** – As used in this Act:

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- (a) **Best interests of the child** refer to the totality of the circumstances and conditions that are most conducive to the survival, protection, and feelings of security of the child and most encouraging to the child's physical, psychological, and emotional development. It also refers to the least detrimental alternative available for safeguarding the growth and development of the child;
- (b) **Child** refers to a person below eighteen (18) years of age, or persons eighteen (18) years or older who are unable to fully care for or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination due to a physical or mental disability or condition. Existing laws that extend this definition to persons over the age of eighteen (18) shall also be recognized;
- (c) **Child support** refers to the regular financial contribution provided by the non-custodial parent to the custodial parent or parent-substitute to ensure the adequate support and well-being of their common child or children. The amount shall be proportional to the resources or means of the non-custodial parent and the needs of the child, and shall cover maintenance, sustenance, shelter, clothing, medical care, education, and transportation. Child support shall also include arrears or reimbursements, which may cover related costs and fees, interest, penalties, and attorneys' fees, when applicable.
- (d) **Child support register** refers to the database established under this Act.
- (e) **Complex cases** refer to child support cases that are extremely difficult for the Department of Social Welfare and Development (DSWD) to resolve administratively, such as questions on paternity and filiation of a child, and the same cannot be established pursuant to Articles 172 and 175 of Executive Order (E.O.) No. 209, as amended, otherwise known as the "Family Code of the Philippines".
- (f) **Custodial parent** refers to a parent who primarily or solely lives with the child and takes on the responsibility of raising the child on a day-to-day basis in the absence of the co-parent who is otherwise alive.
- (g) **National Child Support Office (NCSO)** refers to the office established within the DSWD tasked to: (1) implement the National Child Support Program (NCSP) under this Act; (2) administer and resolve child support cases falling within its administrative jurisdiction; (3) supervise and coordinate with Regional Child Support Offices in implementing the NCSP nationwide; (4) formulate and issue guidelines for the effective implementation of the NCSP; and (5) comply with and implement international treaties and conventions on children's rights to which the Philippines is a signatory or State Party, including the United Nations Convention on the Rights of the Child (UNCRC), the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and other relevant international instruments.
- (h) **Non-custodial or absentee parent** refers to the parent who does not have primary physical custody of the child and who, without justifiable reason, fails or refuses to comply with their child support obligations.
- (i) **Parent Locator Service (PLS)** refers to the system or integrated mechanisms managed by the NCSO to assist custodial parents or other interested parties in locating non-custodial or absentee parents for purposes of establishing paternity, securing child support, and enforcing or modifying child support orders.
- (j) **Parent-substitute** refers to a person other than the biological parent who has custody over a child and is primarily responsible for the child's care, and physical, moral, and intellectual development, such as foster care parents, legal guardians, and care providers: *Provided*, That surrogate parents shall secure a certification from the proper office of the Department of Social Welfare and Development (DSWD) confirming them as a parent-substitute;

(k) **Regional Child Support Offices (RCSO)** refer to offices established within the DSWD Regional Offices that handle administrative child support cases, perform functions under this Act, and administer and maintain the child support register established under this Act.

(l) **Simple cases** refer to child support cases that may be resolved administratively by the DSWD when: (a) the non-custodial parent is identified as the child's parent in the birth certificate or in a final court judgment; or (b) the non-custodial parent has voluntarily acknowledged the child in a public instrument or a private handwritten instrument signed by the parent, consistent with Title VI of Executive Order No. 209, otherwise known as the Family Code of the Philippines.

(m) **Support Order** refers to a provisional or final order issued by the RCSO in administrative child support cases under this Act. Such order may be modified or revised based on material changes in circumstances, in accordance with prescribed guidelines.

SEC. 4. Establishment of the National Child Support Program. – There is hereby established a National Child Support Program (NCSP) to facilitate efficient collaboration between national and local government units in administering child support services. The NCSP shall provide the following services: (a) assist in locating non-custodial or absentee parents; (b) assist in establishing paternity and filiation; (c) issue Child Support Orders after an administrative proceeding involving simple cases as defined under this Act; (d) determine, review, and modify Child Support Orders; (e) enforce and monitor compliance of Child Support Orders issued pursuant to this Act; (f) promulgate necessary rules and regulations; and (g) comply with and implement international treaties and conventions on children's rights to which the Philippines is a signatory or State Party, including the UNCRC, the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and other relevant international instruments.

The NCSP shall be implemented by the National Child Support Office (NCSO) created under the DSWD, in coordination with relevant national government agencies (NGAs) and local government units (LGUs).

To support implementation at the regional level, a Regional Child Support Office (RCSO) shall be established within each DSWD Regional Office. Each RCSO shall: (a) handle administrative child support cases; (b) administer and update the Regional Child Support Register; (c) coordinate with NGAs and LGUs to assist in establishing paternity, locating non-custodial parents, and ensuring compliance with Support Orders.

The NCSO shall supervise, monitor, and provide technical and operational support to the RCSOs to ensure uniform implementation of the Program nationwide.

SEC. 5. Participation of Local Government Units. – The LGUs shall, upon request, assist the RCSOs in the following: (a) locating the non-custodial parents or absentee parents; (b) establishing paternity and filiation; and enforcing and ensuring compliance with Support Orders issued under this Act.

LGUs shall likewise cooperate with concerned NGAs and other LGUs in supporting the RCSOs in handling administrative child support cases.

SEC. 6. Participation of National Government Agencies. – The concerned NGAs shall, upon request, assist the RCSOs in (a) locating the non-custodial parents or absentee parents; (b) assisting in the establishment of paternity and filiation; and (c) enforcing and ensuring compliance with Support Orders issued under this Act.

To support the enforcement of Orders, the Department of Foreign Affairs (DFA), Department of Labor and Employment (DOLE), Land Transportation Office (LTO), Professional Regulation Commission (PRC), and other concerned NGAs shall cooperate with the RCSOs through the following measures, subject to applicable laws and due process:

1. **Wage Deduction** – Facilitating the deduction of child support amounts from the salary or payroll of the non-custodial parent;
2. **Property Attachment** – Imposing liens, encumbrances, or attachments on the personal or real properties of the non-custodial parent;
3. **Asset Garnishment** – Withholding or garnishing salaries, wages, bank deposits, loan proceeds, tax refunds, monetary prizes, insurance claims, or any similar sources of income of the non-custodial parent;
4. **License and Passport Restriction** – Withholding issuance, or suspending or restricting the use of driver's licenses, professional or occupational licenses, and passports of the non-custodial parent, unless said parent executes an undertaking under oath to settle or update unpaid child support within six (6) months;
5. **Fraudulent Transfers** – Declaring void any transfer of property intended to defraud or avoid compliance with a Support Order, subject to existing laws.

To further support compliance, the DOLE, Technical Education and Skills Development Authority (TESDA), and DSWD shall prioritize eligible non-custodial parents in appropriate government employment, livelihood, financial assistance, and skills training programs to enhance their capacity to fulfill their child support obligations under this Act.

No enforcement action under this section shall be implemented without observance of due process and compliance with existing laws.

SEC. 7. Composition of the NCSO. – The NCSO shall be headed by the Secretary of the DSWD, who shall serve as Chairperson. Each RCSO shall be headed by the Regional Director of the corresponding DSWD Field Office.

The DSWD shall, in coordination with the DBM, create the organizational structure and staffing patterns necessary for the effective operation of the NCSO and RCSOs: *Provided*, That officers and employees holding permanent appointments shall be given preference for appointment to the new positions in the approved staffing pattern comparable to their former positions: *Provided, finally*, That no new employees shall be hired until all eligible permanent personnel have been appointed, including qualified temporary or casual employees who possess the appropriate civil service eligibility for permanent appointment, unless the positions are policy-determining, primarily confidential, or highly technical in nature.

All appointees must meet the qualification standards set by the Civil Service Commission (CSC).

SEC. 8. Functions of the National Child Support Office. – The NCSO, through the RCSOs, shall perform the following key functions:

- (a) **Assist in locating non-custodial or absentee parent.** – Subject to compliance with Republic Act (R.A.) No. 10173, otherwise known as the “Data Privacy Act of 2012,” and other applicable laws, the RCSO may obtain necessary information from the custodial parent, parent-substitute, or relatives, or through the DSWD’s Parent Locator Service. This includes the name, address, identification number of the non-custodial parent, the child’s birth certificate or equivalent documents establishing paternity and filiation, court decrees, and information on the non-custodial parent’s employment or sources of income. The RCSO shall ensure confidentiality of information that may come to their knowledge and possession.

If the non-custodial parent cannot be located, the RCSO may request assistance from relevant government agencies and LGUs.

- (b) ***Assist in establishing paternity and filiation.*** —Establishing paternity and filiation is a prerequisite to issuing a Support Order under this Act. It may be proven through: (a) the child’s record of birth appearing in the civil register or a final court judgment; or (b) an admission of legitimate filiation in a public document or a private handwritten instrument and signed by the parent concerned, as provided under the Family Code.

If the non-custodial parent acknowledges paternity during the administrative proceedings, the RCSO shall facilitate the execution and proper registration of the acknowledgment in the Local Civil Registry Office. If the non-custodial parent denies paternity, the RCSO shall require a sworn affidavit of denial. A false denial may be prosecuted under Act No. 3815, as amended, otherwise known as the “Revised Penal Code of the Philippines”.

If paternity cannot be established administratively, the case must be referred to the proper court for judicial determination, subject to existing laws.

- (c) ***Issue Support Orders.*** — A Support Order is an order issued in connection with the administrative process for obtaining child support under this Act. It legally obliges a non-custodial parent to provide monthly financial support to their children in an amount that is proportionate to the resources or means of the non- custodial parent to the needs of the children, which is determined during the administrative proceedings conducted by the RCSO. A willful refusal to comply with the Support Order may subject the non-custodial parent to penalties under Section 14 of this Act.

- (d) ***Determine the amount of child support.*** — The amount of support shall be based on the needs of the child and the ability, resources, or means of the non-custodial parent to provide support. The DSWD, in coordination with the National Economic and Development Authority (NEDA), shall set a guideline based on a fixed percentage of income, which may be adjusted for circumstances such as disability, number of children, or substantial changes in financial capacity.

Support Orders shall be immediately executory. If a parent disagrees with the Support Order or the amount of support, such parent may file a request for reconsideration before the RCSO. However, the filing of such a request shall not stay the execution of the Support Order. In the absence of any order modifying or revising the amount of support, the non-custodial parent shall be required to comply with the Support Order without delay.

- (e) ***Review and modify Support Order.*** —Support Orders may be modified, upon proof of substantial change in circumstances. Financial support shall also be extended to a child over eighteen (18) years of age to cover expenses for tertiary education. The parents, parent-substitutes, relatives, or the child who is at least fifteen (15) years of age, may file a request before the RCSO to review the Support Order.

- (f) ***Monitor compliance with Support Order.*** —The RCSO shall monitor compliance with the Support Order and may require the custodial parent, parent-substitute, or relative to provide periodic reports to ensure that funds are used for the child’s welfare. The NCSO shall establish secure and efficient remittance mechanisms, including banks, financial institutions, and digital payment systems, and other existing technologies to facilitate the receipt of child support.

- (g) ***Enforce Support Orders.*** — Upon willful noncompliance, the RCSO may enforce the Support Order through measures including wage withholding, garnishment of assets, attachment of property,

imposition of liens, or other lawful means to satisfy outstanding obligations. The enforcement of the Support Order shall be without prejudice to the filing of a separate criminal case for willful failure to pay child support under Section 14 of this Act.

(h) **Promulgate rules and regulations.** – The NCSO shall promulgate implementing rules and internal procedures to carry out the intent and provisions of this Act.

(i) **Comply and implement relevant international instruments.** – The NCSO and RCSOs shall comply with and implement international treaties and conventions on children's rights to which the Philippines is a signatory or State Party, including the UNCRC, the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and other relevant international instruments. They shall also facilitate access to cross-border remedies in the best interests of the child.

SEC. 9. Who May File a Petition for Administrative Child Support. – A Petition for Administrative Child Support may be filed by any of the following: (1) the custodial parent; (2) parent-substitute; or (3) relative within the fourth (4th) degree of consanguinity or affinity, who has actual custody of the child and is raising the child in the absence of the non-custodial parent or parents.

The DSWD, through the Regional Child Support Office (RCSO), shall screen and assess the eligibility of the parent-substitute or relative to determine whether such person indeed has actual custody and is actively raising the child.

The petition shall state the relevant facts necessary to establish entitlement to child support and shall be in the form of a sworn affidavit executed by the petitioner and subscribed before any person authorized by law to administer oaths.

SEC. 10. Where to File the Petition. – The Petition for Administrative Child Support, together with complete and original supporting documents, shall be filed with the RCSO having jurisdiction over the city or municipality where the child, custodial parent, parent-substitute, or relatives within the fourth (4th) degree of consanguinity or affinity raising a child on their own, reside. In the absence of a local RCSO, the petition may be filed with the nearest DSWD field office, satellite office, or extension unit.

SEC. 11. Administrative Child Support Process. – The NCSO shall formulate and adopt rules governing the administrative child support process to ensure its fair, expeditious, and non-adversarial disposition. All proceedings shall observe administrative due process and be guided by the principles of simplicity and accessibility.

Upon receipt of the complete petition and supporting documents, the RCSO shall evaluate the evidence and render a decision within twenty-one (21) calendar days. No adversarial hearing shall be required, but the RCSO may call for clarificatory conferences or require the submission of additional documents to ensure the best interests of the child are upheld.

SEC. 12. Child Support Register. – The NCSO shall establish and maintain a centralized Child Support Register containing official records and statistics of all child support cases processed under this Act. The Register shall be managed by a Child Support Registrar, who shall be appointed by the Secretary of the DSWD from among qualified DSWD personnel.

The format, content, and manner of maintenance of the Register shall be prescribed by the Secretary, in consultation with the Child Support Registrar and relevant DSWD offices.

LGUs, through their City or Municipal Social Welfare and Development Offices (C/MSWDOs), shall likewise maintain a local registry of child support cases within their jurisdiction and regularly transmit reports to the NCSO for consolidation.

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288 **SEC. 13. Confidentiality.** – All records pertaining to child support cases, accessed, handled,
289 or processed in all settings, shall be kept confidential. No person shall disclose any personally
290 identifiable information, including the name, address, or circumstances of the child or the
291 child's immediate family, unless such disclosure is expressly authorized by law; required by a
292 lawful order of a court or competent authority; or necessary to protect the best interests of the
293 child. Any unauthorized disclosure of confidential information shall be penalized in accordance
294 with existing laws, including RA 10173, otherwise known as the "Data Privacy Act".

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296 All persons, agencies, or institutions involved in accessing, handling, reporting, or processing personal
297 data under this Act shall observe the principles of legitimate purpose, proportionality, and transparency,
298 and shall discharge their obligations in accordance with applicable laws and regulations.

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300 In cases of doubt, any provision of this Act shall be interpreted in a manner that favors the protection
301 of the right to privacy and the best interests of the child.

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303 **SEC. 14. Willful Failure to Pay Child Support.** – Any person who, without justifiable cause, willfully
304 fails to comply with a Support Order issued under this Act—despite having gainful employment,
305 business, property, or any other source of income—shall be guilty of willful failure to pay child support
306 and shall suffer the penalty of six (6) months, and one (1) day to two (2) years and four (4) months.
307 *Provided,* That if the offender is a public officer or employee, the penalty of four (4) years, two (2)
308 months and one (1) day to six (6) years shall be imposed.

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310 A first-time offender may have the criminal complaint provisionally dismissed by fully paying the total
311 overdue and outstanding child support within thirty (30) calendar days from official notice of the filing
312 of the criminal complaint. *Provided,* That an interest of six percent (6%) per annum or the prevailing
313 legal interest rate, whichever is higher, shall be imposed and collected on the unpaid child support
314 computed from the date the Support Order was issued by the RCSO until full payment.

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316 The filing of a criminal complaint under this provision shall be without prejudice to the filing of other
317 civil, administrative, or criminal cases under existing laws, including but not limited to RA 9262,
318 otherwise known as the "Anti-Violence Against Women and Their Children Act of 2004", or RA 7610,
319 as amended, otherwise known as the "Special Protection of Children Against Abuse, Exploitation and
320 Discrimination Act."

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322 **SEC. 15. Information Dissemination.** – The NCSO shall, in coordination with the Philippine
323 Information Agency, the Council for the Welfare of Children, and other concerned government
324 agencies, LGUs, NGOs, and civil society organizations (CSOs), undertake a nationwide campaign to
325 promote public awareness and understanding of the provisions, mechanisms, and objectives of this Act.
326 Such campaign shall ensure that the general public are informed of the right to child support, the process
327 of administrative child support, and the penalties for non-compliance. Materials shall be made available
328 in major Filipino languages and dialects, and disseminated through both traditional and digital media,
329 schools, barangays, and community-based programs.

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331 **SEC. 16. Annual Report.** – The NCSO shall, on or before June 30 of each calendar year, submit an
332 annual report to Congress, giving a detailed account of its proceedings and accomplishments during the
333 year and making recommendations for modifications or improvements to enhance the effectiveness of
334 this Act.

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336 **SEC. 17. Appropriations.** – The amount necessary for the initial implementation of this Act shall be
337 charged against the current year's appropriations of the concerned implementing agencies. Thereafter,

the amount necessary for its continued implementation shall be included in the budgets of the concerned agencies in the annual General Appropriations Act.

SEC. 18. *Implementing Rules and Regulations.* – The DSWD shall, in coordination with the concerned government agencies, and upon consultation with NGOs, CSOs, and all relevant sectors, promulgate the necessary implementing rules and regulations within six (6) months from the approval of this Act.

SEC. 19. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall continue to be in full force and effect.

SEC. 20. *Repealing Clause.* – All laws, decrees, orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are deemed amended, modified, or repealed accordingly.

SEC. 21. *Effectivity.* – This Act shall take effect after fifteen (15) days following its complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,