



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 778



Introduced by **Representative Ma. Victoria Co-Pilar**

EXPLANATORY NOTE

Filipino children are among the most vulnerable sectors in society. Due to their physical and mental immaturity, as well as their lack of knowledge and skills, they are incapable of independently caring for themselves or fulfilling their basic needs. Recognizing this, Article II, Section 13 of the 1987 Constitution mandates the State to promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth.

In line with this constitutional duty, the State, as *parens patriae*, is likewise responsible for ensuring that parents or those legally obligated to provide support fulfill their duties. These responsibilities include providing proper shelter, adequate and nutritious food, education, and access to health and medical services. Such care is essential to safeguard the child's safety and promote the development of their physical, mental, and social well-being – so they may one day contribute meaningfully to nation-building.

However, when one or both parents, or any person legally obliged to provide support, fail, neglect, or unjustifiably refuse to meet these obligations, the State must intervene. This proposed measure seeks to penalize the unjustified failure or refusal to provide financial support to children. It also aims to grant provisional legal remedies to the offended party, enabling them to compel the responsible person to fulfill their moral and legal duties.

Through this legislative measure, the State reinforces its commitment to protecting children from neglect and deprivation. It ensures that every child has access to proper care and support and is safeguarded from conditions that are detrimental to their growth and development.

In view of the foregoing reasons, the approval of this bill is earnestly sought.

- 1 providing parenting programs to promote understanding of parental duties in
2 child development and care; strengthening parent-child relationships through
3 education and awareness; enhancing parental responsiveness to the needs and
4 challenges faced by children; and
5 (f) encouraging active parental participation in family and community-based
6 initiatives.

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

- 8 (a) **Best interests of the child** refer to the totality of the circumstances and conditions
9 that are most conducive to the survival, protection, and feelings of security of the
10 child and most encouraging to the child's physical, psychological, and emotional
11 development. It also refers to the least detrimental alternative available for
12 safeguarding the growth and development of the child;
13 (b) **Child** refers to a person below eighteen (18) years of age, or persons eighteen (18)
14 years or older who are unable to fully care for or protect themselves from abuse,
15 neglect, cruelty, exploitation, or discrimination due to a physical or mental
16 disability or condition. Existing laws that extend this definition to persons over the
17 age of eighteen (18) shall also be recognized;
18 (c) **Child support** refers to the regular financial contribution provided by the non-
19 custodial parent to the custodial parent or parent-substitute to ensure the adequate
20 support and well-being of their common child or children. The amount shall be
21 proportional to the resources or means of the non-custodial parent and the needs
22 of the child, and shall cover maintenance, sustenance, shelter, clothing, medical
23 care, education, and transportation. Child support shall also include arrears or
24 reimbursements, which may cover related costs and fees, interest, penalties, and
25 attorneys' fees, when applicable.
26 (d) **Child support register** refers to the database established under this Act.
27 (e) **Complex cases** refer to child support cases that are extremely difficult for the
28 Department of Social Welfare and Development (DSWD) to resolve
29 administratively, such as questions on paternity and filiation of a child, and the
30 same cannot be established pursuant to Articles 172 and 175 of Executive Order
31 (E.O.) No. 209, as amended, otherwise known as the "Family Code of the
32 Philippines".
33 (f) **Custodial parent** refers to a parent who primarily or solely lives with the child and
34 takes on the responsibility of raising the child on a day-to-day basis in the absence
35 of the co-parent who is otherwise alive.
36 (g) **National Child Support Office (NCSO)** refers to the office established within the
37 DSWD tasked to: (1) implement the National Child Support Program (NCSP)
38 under this Act; (2) administer and resolve child support cases falling within its
39 administrative jurisdiction; (3) supervise and coordinate with Regional Child
40 Support Offices in implementing the NCSP nationwide; (4) formulate and issue
41 guidelines for the effective implementation of the NCSP; and (5) comply with and
42 implement international treaties and conventions on children's rights to which the
43 Philippines is a signatory or State Party, including the United Nations Convention
44 on the Rights of the Child (UNCRC), the Hague Convention of 23 November 2007
45 on the International Recovery of Child Support and Other Forms of Family
46 Maintenance, and other relevant international instruments.
47 (h) **Non-custodial or absentee parent** refers to the parent who does not have primary
48 physical custody of the child and who, without justifiable reason, fails or refuses
49 to comply with their child support obligations.
50 (i) **Parent Locator Service (PLS)** refers to the system or integrated mechanisms
51 managed by the NCSO to assist custodial parents or other interested parties in

1 locating non-custodial or absentee parents for purposes of establishing paternity,
2 securing child support, and enforcing or modifying child support orders.

3 (j) **Parent-substitute** refers to a person other than the biological parent who has
4 custody over a child and is primarily responsible for the child's care, and physical,
5 moral, and intellectual development, such as foster care parents, legal guardians,
6 and care providers: *Provided*, That surrogate parents shall secure a certification
7 from the proper office of the Department of Social Welfare and Development
8 (DSWD) confirming them as a parent-substitute;

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

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

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

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

37
38 The NCSP shall be implemented by the National Child Support Office (NCSO)
39 created under the DSWD, in coordination with relevant national government agencies
40 (NGAs) and local government units (LGUs).

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

46
47 The NCSO shall supervise, monitor, and provide technical and operational
48 support to the RCSOs to ensure uniform implementation of the Program nationwide.

49
50 **SEC. 5. Participation of Local Government Units.** – The LGUs shall, upon request,
51 assist the RCSOs in the following:

- 52 (a) locating the non-custodial parents or absentee parents;
53 (b) establishing paternity and filiation; and

1 (c) enforcing and ensuring compliance with Support Orders issued under this Act.

2
3 LGUs shall likewise cooperate with concerned NGAs and other LGUs in
4 supporting the RCSOs in handling administrative child support cases.

5
6 **SEC. 6. Participation of National Government Agencies.** – The concerned NGAs
7 shall, upon request, assist the RCSOs in (a) locating the non-custodial parents or absentee
8 parents; (b) assisting in the establishment of paternity and filiation; and (c) enforcing and
9 ensuring compliance with Support Orders issued under this Act.

10
11 To support the enforcement of Orders, the Department of Foreign Affairs (DFA),
12 Department of Labor and Employment (DOLE), Land Transportation Office (LTO),
13 Professional Regulation Commission (PRC), and other concerned NGAs shall cooperate
14 with the RCSOs through the following measures, subject to applicable laws and due
15 process:

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

30
31 To further support compliance, the DOLE, Technical Education and Skills
32 Development Authority (TESDA), and DSWD shall prioritize eligible non-custodial
33 parents in appropriate government employment, livelihood, financial assistance, and
34 skills training programs to enhance their capacity to fulfill their child support obligations
35 under this Act.

36
37 No enforcement action under this section shall be implemented without observance
38 of due process and compliance with existing laws.

39
40 **SEC. 7. Composition of the NCSO.** – The NCSO shall be headed by the Secretary of
41 the DSWD, who shall serve as Chairperson. Each RCSO shall be headed by the Regional
42 Director of the corresponding DSWD Field Office.

43
44 The DSWD shall, in coordination with the DBM, create the organizational structure
45 and staffing patterns necessary for the effective operation of the NCSO and
46 RCSOs: *Provided*, That officers and employees holding permanent appointments shall be
47 given preference for appointment to the new positions in the approved staffing pattern
48 comparable to their former positions: *Provided, finally*, That no new employees shall be
49 hired until all eligible permanent personnel have been appointed, including qualified
50 temporary or casual employees who possess the appropriate civil service eligibility for
51 permanent appointment, unless the positions are policy-determining, primarily
52 confidential, or highly technical in nature.

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

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

- 5 (a) **Assist in locating non-custodial or absentee parent.** – Subject to compliance with
6 Republic Act (R.A.) No. 10173, otherwise known as the “Data Privacy Act of
7 2012,” and other applicable laws, the RCSO may obtain necessary information
8 from the custodial parent, parent-substitute, or relatives, or through the DSWD’s
9 Parent Locator Service. This includes the name, address, identification number of
10 the non-custodial parent, the child’s birth certificate or equivalent documents
11 establishing paternity and filiation, court decrees, and information on the non-
12 custodial parent’s employment or sources of income. The RCSO shall ensure
13 confidentiality of information that may come to their knowledge and possession.
14

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

- 17 (b) **Assist in establishing paternity and filiation.** – Establishing paternity and
18 filiation is a prerequisite to issuing a Support Order under this Act. It may be
19 proven through: (a) the child’s record of birth appearing in the civil register or a
20 final court judgment; or (b) an admission of legitimate filiation in a public
21 document or a private handwritten instrument and signed by the parent
22 concerned, as provided under the Family Code.
23

24 If the non-custodial parent acknowledges paternity during the
25 administrative proceedings, the RCSO shall facilitate the execution and proper
26 registration of the acknowledgment in the Local Civil Registry Office. If the non-
27 custodial parent denies paternity, the RCSO shall require a sworn affidavit of
28 denial. A false denial may be prosecuted under Act No. 3815, as amended,
29 otherwise known as the “Revised Penal Code of the Philippines”.
30

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

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

- 41 (d) **Determine the amount of child support.** – The amount of support shall be based
42 on the needs of the child and the ability, resources, or means of the non-custodial
43 parent to provide support. The DSWD, in coordination with the National
44 Economic and Development Authority (NEDA), shall set a guideline based on a
45 fixed percentage of income, which may be adjusted for circumstances such as
46 disability, number of children, or substantial changes in financial capacity. 5
47

48 Support Orders shall be immediately executory. If a parent disagrees with
49 the Support Order or the amount of support, such parent may file a request for

1 reconsideration before the RCSO. However, the filing of such a request shall not
2 stay the execution of the Support Order. In the absence of any order modifying or
3 revising the amount of support, the non-custodial parent shall be required to
4 comply with the Support Order without delay.

5
6 (e) ***Review and modify Support Order.*** –Support Orders may be modified, upon
7 proof of substantial change in circumstances. Financial support shall also be
8 extended to a child over eighteen (18) years of age to cover expenses for tertiary
9 education. The parents, parent-substitutes, relatives, or the child who is at least
10 fifteen (15) years of age, may file a request before the RCSO to review the Support
11 Order.

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

18 (g) ***Enforce Support Orders.*** – Upon willful noncompliance, the RCSO may enforce
19 the Support Order through measures including wage withholding, garnishment
20 of assets, attachment of property, imposition of liens, or other lawful means to
21 satisfy outstanding obligations. The enforcement of the Support Order shall be
22 without prejudice to the filing of a separate criminal case for willful failure to pay
23 child support under Section 14 of this Act.

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

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

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

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

41
42 The petition shall state the relevant facts necessary to establish entitlement to child
43 support and shall be in the form of a sworn affidavit executed by the petitioner and
44 subscribed before any person authorized by law to administer oaths.

45 **SEC. 10. *Where to File the Petition.*** – The Petition for Administrative Child
46 Support, together with complete and original supporting documents, shall be filed with
47 the RCSO having jurisdiction over the city or municipality where the child, custodial
48 parent, parent-substitute, or relatives within the fourth (4th) degree of consanguinity or

1 affinity raising a child on their own, reside. In the absence of a local RCSO, the petition
2 may be filed with the nearest DSWD field office, satellite office, or extension unit.

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

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

13
14 **SEC. 12. *Child Support Register.*** – The NCSO shall establish and maintain a
15 centralized Child Support Register containing official records and statistics of all child
16 support cases processed under this Act. The Register shall be managed by a Child
17 Support Registrar, who shall be appointed by the Secretary of the DSWD from among
18 qualified DSWD personnel.

19
20 The format, content, and manner of maintenance of the Register shall be
21 prescribed by the Secretary, in consultation with the Child Support Registrar and relevant
22 DSWD offices.

23
24 LGUs, through their City or Municipal Social Welfare and Development Offices
25 (C/MSWDOs), shall likewise maintain a local registry of child support cases within their
26 jurisdiction and regularly transmit reports to the NCSO for consolidation.

27
28 **SEC. 13. *Confidentiality.*** – All records pertaining to child support cases, accessed,
29 handled, or processed in all settings, shall be kept confidential. No person shall disclose
30 any personally identifiable information, including the name, address, or circumstances
31 of the child or the child’s immediate family, unless such disclosure is expressly
32 authorized by law; required by a lawful order of a court or competent authority; or
33 necessary to protect the best interests of the child. Any unauthorized disclosure of
34 confidential information shall be penalized in accordance with existing laws, including
35 RA 10173, otherwise known as the “Data Privacy Act”.

36
37 All persons, agencies, or institutions involved in accessing, handling, reporting, or
38 processing personal data under this Act shall observe the principles of legitimate
39 purpose, proportionality, and transparency, and shall discharge their obligations in
40 accordance with applicable laws and regulations.

41
42 In cases of doubt, any provision of this Act shall be interpreted in a manner that
43 favors the protection of the right to privacy and the best interests of the child.

44
45 **SEC. 14. *Willful Failure to Pay Child Support.*** – Any person who, without
46 justifiable cause, willfully fails to comply with a Support Order issued under this Act—
47 despite having gainful employment, business, property, or any other source of income—
48 shall be guilty of willful failure to pay child support and shall suffer the penalty of six (6)
49 months, and one (1) day to two (2) years and four (4) months. *Provided,* That if the offender
50 is a public officer or employee, the penalty of four (4) years, two (2) months and one (1)
51 day to six (6) years shall be imposed.

1
2 A first-time offender may have the criminal complaint provisionally dismissed by
3 fully paying the total overdue and outstanding child support within thirty (30) calendar
4 days from official notice of the filing of the criminal complaint. *Provided*, That an interest
5 of six percent (6%) per annum or the prevailing legal interest rate, whichever is higher,
6 shall be imposed and collected on the unpaid child support computed from the date the
7 Support Order was issued by the RCSO until full payment.

8 The filing of a criminal complaint under this provision shall be without prejudice
9 to the filing of other civil, administrative, or criminal cases under existing laws, including
10 but not limited to RA 9262, otherwise known as the "Anti-Violence Against Women and
11 Their Children Act of 2004", or RA 7610, as amended, otherwise known as the "Special
12 Protection of Children Against Abuse, Exploitation and Discrimination Act."
13

14 **SEC. 15. Information Dissemination.** – The NCSO shall, in coordination with the
15 Philippine Information Agency, the Council for the Welfare of Children, and other
16 concerned government agencies, LGUs, NGOs, and civil society organizations (CSOs),
17 undertake a nationwide campaign to promote public awareness and understanding of
18 the provisions, mechanisms, and objectives of this Act. Such campaign shall ensure that
19 the general public are informed of the right to child support, the process of administrative
20 child support, and the penalties for non-compliance. Materials shall be made available in
21 major Filipino languages and dialects, and disseminated through both traditional and
22 digital media, schools, barangays, and community-based programs.
23

24 **SEC. 16. Annual Report.** – The NCSO shall, on or before June 30 of each calendar
25 year, submit an annual report to Congress, giving a detailed account of its proceedings
26 and accomplishments during the year and making recommendations for modifications
27 or improvements to enhance the effectiveness of this Act.
28

29 **SEC. 17. Appropriations.** – The amount necessary for the initial implementation
30 of this Act shall be charged against the current year's appropriations of the concerned
31 implementing agencies. Thereafter, the amount necessary for its continued
32 implementation shall be included in the budgets of the concerned agencies in the annual
33 General Appropriations Act.
34

35 **SEC. 18. Implementing Rules and Regulations.** – The DSWD shall, in coordination
36 with the concerned government agencies, and upon consultation with NGOs, CSOs, and
37 all relevant sectors, promulgate the necessary implementing rules and regulations within
38 six (6) months from the approval of this Act.
39

40 **SEC. 19. Separability Clause.** – If any provision or part of this Act is declared
41 unconstitutional or invalid, the other provisions not affected thereby shall continue to be
42 in full force and effect.
43

44 **SEC. 20. Repealing Clause.** – All laws, decrees, orders, and rules and regulations
45 contrary to or inconsistent with the provisions of this Act are deemed amended,
46 modified, or repealed accordingly.
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48 **SEC. 21. Effectivity.** – This Act shall take effect after fifteen (15) days following its
49 complete publication in the *Official Gazette* or in a newspaper of general circulation.⁸

50 *Approved,*