



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

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 2109

Introduced by Representative Ivan Howard A. Guintu

EXPLANATORY NOTE

Section 9, Article II of the Constitution provides that “[t]he State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.”

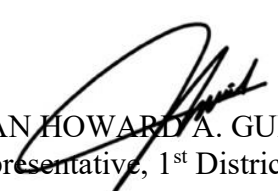
The State recognizes the importance of providing social services to the people in its pursuit of freeing people from poverty, raising the standard of living, and providing an improved quality of life for all. It is understood that there shall be equitable access to social services, especially for our indigent Filipinos.

However, in order to avail of social services, a certificate of indigency must be acquired from officials of respective local government units. Unfortunately, due to partisanship, there are instances wherein these certifications are withheld from certain individuals, and therefore denying them the opportunity to avail of government social services.

This proposed measure seeks to provide an alternative option of proving one’s indigency. An indigency identification system shall be established, and an indigency ID shall be provided to those who opt to register to the indigency identification system. The indigency ID shall be valid for 2 years, and thereafter shall be renewed, subject to the social case study review upon application for renewal.

By providing an alternative option for individuals who are denied their request for a certificate of indigency, we shall be able to ensure that every indigent Filipino is given the opportunity to avail of government social services.

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


IVAN HOWARD A. GUINTU
Representative, 1st District of Capiz



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AN ACT
ESTABLISHING THE INDIGENCY IDENTIFICATION SYSTEM

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

SECTION 1. Title. - This Act shall be known as the “Indigency Identification System Act.”

SEC 2. Declaration of Policy. - It is the policy of the State to promote and uphold the welfare of indigent Filipinos by ensuring equitable access to essential government services, programs, and benefits. For this purpose, the State shall establish an efficient and accessible system to identify and verify indigent individuals, enabling them to avail themselves of social protection programs and other interventions intended to alleviate poverty and improve their quality of life.

SEC. 3. Indigency Identification System. - The Indigency Identification System herein referred to as the “Indigency ID system” is hereby established and instituted as a social tool towards the attainment of a progressive society through the provision of efficient services to all indigent Filipinos. The identification system shall provide official identification of all indigent citizens of the Republic of the Philippines through the issuance of the Indigency Identification Card (Indigency ID card).

SEC. 4. Indigency Identification Card. - Indigent Filipinos residing in the Philippines who opt to apply for an Indigency ID card shall register personal information required by the Indigency ID system, and upon application shall be issued a non-transferrable Indigency ID card with an ID number that shall be valid for 2 years, and thereafter shall be renewed, subject to the social case study review of social workers from the Department of Social Works and Development (DSWD) or their respective Local Social Welfare and Development Office (LSWDO).

The Indigency ID card shall be made of tamper-proof security material. It shall have on its face the imprinted photograph, name, birth date, gender, date of issue, signature of owner, the

corresponding individual serial number issued by the Department of Social Works and Development, and such other data as may be deemed necessary.

The application and issuance of the Indigency ID card shall be free of charge as part of the government's social service responsibility.

SEC. 5. Roles and Functions of the Department of Social Welfare and Development and Local Social Welfare and Development Offices. - For purposes of the implementation of this Act, the DSWD shall have the authority to determine the qualifications and criteria for identifying an indigent Filipino. The DSWD shall also establish the specific documents that individuals may submit to prove their indigency, based on standards set forth by existing laws, rules, and regulations. As the implementing agency, the DSWD shall determine, validate and administer the data and materials required to avail of the benefits of the Indigency ID system. The DSWD shall provide technical assistance and issue guidelines in order to ensure a uniform criteria for identifying indigent Filipinos and processing the necessary documentation.

The LSWDOs shall implement these guidelines in accordance with their local mandates. The DSWD shall regularly monitor and evaluate the effectiveness of these guidelines to ensure proper and efficient service delivery. Each LSWDO shall create a special unit which shall be responsible for:

- (a) Accepting applications for an Indigency ID card;
- (b) Processing of such applications; and
- (c) Releasing the Indigency ID card to the applicants.

SEC. 6. Registration. - Upon the effectivity of this Act and when the ID system has become operational, indigent Filipinos residing in the Philippines may apply for the registration and issuance of the Indigency ID card at the LSWDO of the city or municipality where one is a resident.

SEC. 7. Functional Uses of the Indigency ID Card. - The Indigency ID card shall be presented and honored in transactions requiring the identity, status, birth, and all other personal circumstances such as the following:

- (a) All transaction with the government, including:
 - (i) Application for government social services that requires proof of indigency;
 - (ii) Application for passport and driver's license;
 - (iii) Filing of applications for any services and benefits offered by the Government Service Insurance System (GSIS), the Social Security System (SSS), the Philippine Health Insurance Corporation (PhilHealth) and the Home Development Mutual Fund (HDMF); and
 - (iv) Application for clearances from the National Bureau of Investigation (NBI), courts, prosecutor and the police;

- (b) Proof of identity, status, age and address for admission in all learning institutions as well as for employment purposes;
- (c) Availment of benefits or privileges afforded by law to senior citizens;
- (d) Proof of identity, status, age and address for transactions in banking and financial institutions;
- (e) Voting identification purposes;
- (f) Such other purposes and uses which the DSWD may prescribe.

SEC. 8. Protection Against Unlawful Disclosure Of Information/Records. - No person may publish, disseminate or give to third parties or entities including government enforcement agencies any information obtained in connection with the application for the Indigency ID card, including the use thereof except in the following cases:

- (a) When the holder of the Indigency ID card expressly authorizes the disclosure of such information to a third person, entity or agency;
- (b) In the event of accident, disaster or fortuitous events, when information on the medical history of the holder such as the blood type or special medical needs or other relevant information are needed by medical institutions and health service workers;
- (c) When the interest of public health or safety so requires; and
- (d) Upon the order of any competent court.

Any information obtained as a result of unlawful disclosure under this Act shall be inadmissible as evidence in any criminal proceedings against the holder of the Indigency ID card.

SEC. 9. Safeguards on the Indigency ID. - The DSWD, as repository of all data, shall create and maintain an Indigency Identification System that shall contain the registered records and information of persons issued with the Indigency ID card. The DSWD, as the main issuing authority of the official Indigency ID card, shall institute the necessary measures to safeguard the information provided in the Indigency ID card. No such information shall be released to any agency, office or instrumentality, government or otherwise, nor shall it be used against any person except in cases stipulated in Section 8 of this Act.

The DSWD, in coordination with the Philippine Statistics Authority, may generate and release aggregated information from the Indigency Identification System in the form of summaries and statistical tables: *Provided*, That no reference to an individual shall appear and that no person can be readily identified in the released information.

The information in the Indigency Identification System shall be categorized in a manner that allows proper safeguards in data access, security, and change management.

SEC. 10. Penal Provisions. - Any person who knowingly uses false information in applying for the issuance of an Indigency ID card or procures one through fraud and utilizes the card in an unlawful manner shall be punished with a fine of not less than fifty thousand pesos (P50,000.00)

but not more than five hundred thousand pesos (P500,000.00) or an imprisonment of not less than six (6) months but not more than two (2) years, or both, at the discretion of the court.

Any person who shall willfully and unjustifiably refuse to accept, acknowledge or recognize the Indigency ID card as the only official identification of the owner thereof shall also be punished with the same penalties or imprisonment stated in the preceding paragraph: *Provided*, That the Indigency ID card is still valid.

Any public official or employee who connives with the offender in committing the acts mentioned in the last two (2) preceding paragraphs or, on his own, causes the issuance of an unauthorized Indigency ID card or approves the application for the same, despite the knowledge of the existence of fraud or false information, shall suffer the corresponding penalties imposed in the last two (2) preceding paragraphs and shall suffer the penalty of perpetual disqualification from government service.

The penalties imposed in this section shall be in addition to those imposed on acts punishable by existing penal and other laws, including acts of omission.

SEC. 11. Implementing Rules and Regulations. - Within ninety (90) days upon approval of this Act, the DSWD, in coordination with PSA, shall promulgate rules and regulations and exchange existing technologies and best practices on the issuance of identification cards to effectively implement the provisions of this Act.

SEC. 12. Funding. - The amount necessary to implement the provisions of this Act shall be included in the budget of the DSWD in the annual General Appropriations Act.

SEC. 13. Separability Clause. - The provisions of this Act are hereby declared to be separable and if any clause, sentence, provision or section of this Act or its application thereof to any person or circumstance should, for any reason, be held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Act which can be given force and effect.

SEC. 14. Repealing Clause. - All laws, decrees, charters, executive orders, administrative orders, proclamations, rules and regulations, or parts thereof insofar as they are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 15. Effectivity. - This Act shall take effect fifteen (15) days after completion of publication in the Official Gazette or in a newspaper of general circulation.

Approved,