

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2487



Introduced by **Representative Roy M. Gonzales**

EXPLANATORY NOTE

Philippines is a signatory to the International Covenant on Economic, Social, and Cultural Rights (ICESCR) which recognizes the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.¹ The 1987 Philippine Constitution expressly avers that "The State shall protect and promote the right to health and instill health consciousness (Article II, Section 15). It further declares that "The State's responsibility to protect the well-being of the people, including access to adequate food. (Article XIII, Section 1).

The enactment of Republic Act No. 11037 or most commonly known as the "*Masustansyang Pagkain para sa Batang Pilipino Act*" is commendable and this proposed measure prays to refine the legislation further. According to Philippine Plan of Action for Nutrition (PPAN), a significant 26.6 percent (26.6%) of Filipino children under five (5) are stunted, while 5.5 percent (5.5%) suffer from wasting.² In 2021, the national average of stunting for adolescents aged 10-19 years is at 22.3 per cent (22.3%).³

In the light and spirit of Republic Act No. 11037 to counter children and adolescent nutritional challenge and hunger, this bill aims to:

1. Increase the national feeding period from 120 days to 180 days every school year enabling continuous nutritional support to cover the entire academic year; and

¹<https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/36/10829#:~:text=ARTICLE%2011,1.,cooperation%20based%20on%20free%20consent.>

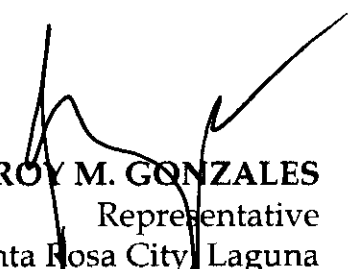
²<https://opinion.inquirer.net/175687/a-call-for-action-on-malnutrition>

³<https://situationofchildren.org/nutrition-of-children-and-adolescents>

2. Include secondary school students as beneficiaries in the feeding program who are enrolled in public school institutions.

This measure seeks to guarantee quality education to healthy children during their learning years by expansion in scope and duration. Increasing the duration of the program and including the secondary school students will improve lifetime nutritional benefits which in effect is a good investment to the human capital of the country.

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



ROY M. GONZALES
Representative

Lone District of Santa Rosa City, Laguna

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2487

Introduced by **Representative Roy M. Gonzales**

AN ACT
AMENDING 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 CHILDREN AND APPROPRIATING
FUNDS THEREFOR"

Be it enacted by the Senate and 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 CHILDREN AND APPROPRIATING FUNDS THEREFOR," is hereby amended to read as follows:

xxx

- (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 aged three (3) to five (5) years. The Program shall be administered in day care centers or in any other facility that 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)] **ONE HUNDRED EIGHTY (180)** days in a year:

(b) School-Based 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 (20)] **EIGHTY (180)** days in a year:

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

xxx

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

SECTION 3. 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**. Thereafter, such sums as may be necessary for the continuous implementation of this Act shall be included in the annual GAA under the respective budgets of the above-named lead agencies.

SECTION 4. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the Department of Education **AND THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT** shall, in consultation with the National Nutrition Council (NNC), the Food and Nutrition Research Institute, the Department of Health, the Department of Agriculture, the Department of Interior and Local Government, and concerned Local Government Units, and such other relevant government agencies, non-government organizations, and development partners, promulgate the rules and regulations for the effective implementation of this Act.

SECTION 5. Separability Clause. - If any provision or part of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 6. Repealing Clause. - All laws, executive orders, issuances, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,