

**Office of the President
COMMISSION ON FILIPINOS OVERSEAS**

**OVERVIEW ON SB 206 (Sen. Bong Go) AND SB 307 (Sen. Migz Zubiri)
THAT SEEKS TO AMEND RA 8972 OR
THE SOLO PARENTS WELFARE ACT OF 2000**

OVERVIEW

Republic Act No. 8972, also known as the Solo Parent's Welfare Act, provides for the benefits and privileges to solo parents and their children. The law aims to develop a comprehensive package of social development and welfare services for solo parents and their children which will be carried out by the Department of Social Welfare and Development, as the lead agency, together with other government departments and other related non-government organizations.

DEFINITION OF A SOLO PARENT

A solo parent, as defined by RA 8972 is:

1. A woman who gives birth as a result of rape and other crimes against chastity even without a final conviction of the offender, provided that mother keeps and raises the child.
2. Parent left solo or alone with the responsibility of parenthood due to the following circumstances:
 - a. Due to death of spouse.
 - b. Spouse is detained or is serving sentence for a criminal conviction for at least one (1) year.
 - c. Physical and/or mental incapacity of spouse as certified by a public medical practitioner.
 - d. Legal separation or de facto separation from spouse for at least one (1) year, as long as he/she is entrusted with the custody of the children.
 - e. Declaration of nullity or annulment of marriage as decreed by a court or by a church as long as he/she is entrusted with the custody of the children.

3. Unmarried mother/father who has preferred to keep and rear her/his child/children instead of having others care for them or give them up to a welfare institution.
4. Any other person who solely provides parental care and support to a child or children.
5. Any family member who assumes the responsibility of head of family as a result of the death, abandonment, disappearance or prolonged absence of the parents or solo parent.

PROPOSED AMENDMENTS

1. ON THE DEFINITION OF SOLO PARENT

SEN. GO'S VERSION

Reduction from 1 year to six months

- Parent left solo or alone with the responsibility of parenthood due to legal separation or de facto separation from spouse for at least ~~{one (1) year}~~ **SIX (6) MONTHS**, provided he/she is entrusted with the custody of the children;
- Parent left solo or alone with the responsibility of parenthood due to abandonment of spouse for at least ~~{one (1) year}~~ **SIX (6) MONTHS**;
- Any other person who ~~{solely provides parental care and support to a child or children}~~ **BEARS SOLE PARENTAL RESPONSIBILITY A CHILD OR CHILDREN, INCLUDING A FOSTER PARENT DULY-RECOGNIZED BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, A LEGAL GUARDIAN APPOINTED BY THE COURT OR A LEGAL SINGLE ADOPTIVE PARENT**;

SEN. ZUBIRI'S VERSION

- Any other person who solely provides parental care and support to a child or children, **PROVIDED SAID PERSON WAS ENTRUSTED WITH THE CUSTODY OF THE CHILDREN**;
- **ADDITIONAL PROVISION:**
A change in the status or circumstance of the parent claiming benefits under this Act, such that he/she is no longer left alone with the sole responsibility of parenthood, shall terminate his/her eligibility for these benefits. **SAID BENEFITS SHALL SEIZE TO BE AVAILABLE BY THE END OF THE YEAR WHEN THE PARENT WAS LAST DEEMED A SOLO PARENT AS DEFINED BY THIS ACT. PROVIDED, THAT, A SINGLE PARENT WHO IS RECEIVING SUPPORT FROM THE CHILD'S OTHER PARENT SHALL NOT BE ELIGIBLE TO RECEIVE THE BENEFITS UNDER SECTION 12-A OF THE ACT.**

2. GRANTING OF ADDITIONAL PRIVILEGES FOR THE PREVIOUS 7 DAY EXCLUSIVE PARENTAL LEAVE

- **SEN. GO.** Section 8. Parental Leave - In addition to leave privileges under existing laws, parental leave of not more than seven (7) working days **WITH PAY** every year shall be granted to any solo parent employee regardless of employment status who has rendered service of at least ~~one (1) year~~ **SIX (6) MONTHS.**"
- **SEN. ZUBIRI.** Same as above except it retains the original 1 year service to be able to avail of the privilege.

3. NEW PROVISION REQUIRING ISSUANCE OF AN EXCLUSIVE IDENTITY CARD

- *SOLO PARENT IDENTIFICATION CARD (SPIC). — THE LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (LSWDO) SHALL ISSUE THE SOLO PARENT IDENTIFICATION CARD UPON THE PRESENTATION OF THE APPLICANT OF THE FOLLOWING DOCUMENTS:*
 - *BARANGAY CERTIFICATION CERTIFYING THAT THE SOLO PARENT IS A RESIDENT OF THE BARANGAY FOR THE LAST SIX (6) MONTHS PRECEDING THE APPLICATION;*
 - *BARANGAY CERTIFICATION OF CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT AS REQUIRED BY THIS ACT*
 - *CERTIFICATION FROM THE PROPER GOVERNMENT AGENCY AS PROOF OF BIRTH OF CHILD/CHILDREN, DEATH OF PARENTS OR SPOUSE AND OTHER DOCUMENTARY SUPPORT TO ATTEST THE CIRCUMSTANCES THAT QUALIFIES THE APPLICANT AS A SOLO PARENT;*
 - *INCOME TAX RETURN OR ANY EQUIVALENT DOCUMENT THAT ESTABLISHES THE INCOME OR FINANCIAL STATUS OF THE SOLO PARENT APPLICANT.*

THE SPIC SHALL BE ISSUED WITHIN THIRTY (30) DAYS FROM APPLICATION THEREOF AND SHALL BE VALID FOR ONE (1) YEAR UPON ISSUANCE SUBJECT TO RENEWAL."

4. NEW PROVISION THAT GRANTS ADDITIONAL BENEFITS

- *TEN PERCENT (10 %) DISCOUNT FROM ALL PURCHASES OF CLOTHING AND CLOTHING MATERIALS FOR THE CHILD MADE WITHIN A PERIOD OF UP TO TWO (2) YEARS FROM THE CHILD'S BIRTH;*
- *FIFTEEN PERCENT (15 %) DISCOUNT FROM ALL PURCHASES OF BABY'S MILK, FOOD AND FOOD SUPPLEMENTS MADE WITHIN A PERIOD OF TWO (2) YEARS FROM THE CHILD'S BIRTH;*
- *FIFTEEN PERCENT (15 %) DISCOUNT FROM ALL PURCHASES OF MEDICINES AND OTHER MEDICAL SUPPLEMENTS/SUPPLIES FOR THE CHILD MADE WITHIN A PERIOD OF FIVE (5) YEARS FROM THE CHILD'S BIRTH;*
- *TWENTY PERCENT (20 %) DISCOUNT FROM ALL PURCHASES OR SCHOOL SUPPLIES FOR THE CHILD, FOR PURCHASES MADE FROM THE CHILD'S BIRTH UNTIL TWENTY-ONE (21) YEARS OF AGE;*
- *TAX AMNESTY AND/ OR REDUCTION OF REAL ESTATE OR INHERITANCE TAXES OF SOLO PARENTS; (SEN. GO VERSION ONLY)*
- *BASIC PERSONAL EXEMPTION FROM INDIVIDUAL INCOME TAX IN THE AMOUNT OF FIFTY THOUSAND PESOS (P50/000.00) IN ADDITION TO THE EXISTING EXEMPTION THAT THE SINGLE PARENT MAY CLAIM FOR HIS/HER DEPENDENT CHILD OR CHILDREN; AND*
- *TEN PERCENT (10 %) TUITION FEE DISCOUNT FROM PUBLIC AND PRIVATE SCHOOLS FOR THE CHILD OR CHILDREN FROM GRADE SCHOOL TO COLLEGE.*

COMPANIES OR BUSINESSES FROM WHOM DISCOUNTED PURCHASES ARE MADE AS PER THE IMMEDIATELY FOREGOING SECTION SHALL BE ENTITLED TO CLAIM THE SAID DISCOUNTS AS PART OF THEIR BUSINESS EXPENSE, PROVIDED THAT, THEY MAINTAIN DETAILED AND SEPARATE RECORDS OF SAID PURCHASES.

5. NEW PROVISION REQUIRING DSWD TO PROVIDE THE FOLLOWING:

- *AN OFFICE OF SOLO PARENTS IN EVERY PROVINCE, CITY AND MUNICIPALITY — THE OFFICE SHALL ALSO SERVE AS THE HUB FOR SOLO PARENTS IN THE AREA, CREATING A SUPPORT SYSTEM FOR EACH SOLO PARENTS;*
- *FREE LEGAL ASSISTANCE — THE DSWD SHALL COORDINATE WITH THE DEPARTMENT OF JUSTICE (DOJ) FOR THE PROVISION OF FREE LEGAL ASSISTANCE TO SOLO PARENTS*

6. NEW PROVISION THAT IMPOSES SANCTIONS FOR NON-COMPLIANCE

- *PENALTIES. - ANY PERSON OR COMPANY WHO VIOLATES THE PROVISIONS OF THIS ACT BY DENYING OR HINDERING A SOLO PARENT FROM AVAILING OF ANY OF THE BENEFITS OF THIS ACT SHALL BE PENALIZED BY A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (PHP 50,000.00) FOR THE FIRST VIOLATION; ONE HUNDRED THOUSAND PESOS (PHP 100,000.00) FOR THE SECOND VIOLATION; AND TWO HUNDRED THOUSAND PESOS (PHP 200,000) FOR THE THIRD VIOLATION.*

IN ADDITION TO SAID FINE, THE SAID BUSINESS MAY BE ORDERED CLOSED BY THE APPROPRIATE IMPLEMENTING AGENCY. (SEN.ZUBIRI)

ADDITIONAL FROM SEN. GO:

- *IF THE OFFENDER IS A CORPORATION, PARTNERSHIP OR ORGANIZATION OR ANY SIMILAR ENTITY, EMPLOYEES AND OFFICIALS THEREFORE DIRECTLY INVOLVED SHALL INDIVIDUALLY BE HELD LIABLE THEREFORE.*
- *IF THE VIOLATOR IS AN ALIEN OR A FOREIGNER, HE SHALL BE DEPORTED IMMEDIATELY AFTER SERVICE OF SENTENCE WITHOUT FURTHER DEPORTATION PROCEEDINGS.*
- *UPON FILING OF AN APPROPRIATE COMPLAINT AND AFTER DUE NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE THE CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT, PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES GRANTED TO ANY BUSINESS THAT FAILS TO ABIDE BY THE PROVISION OF THIS ACT.*
- *UPON FINDING OF THE INTERAGENCY COMMITTEE THAT A DEPARTMENT, AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT, A GOVERNMENT-OWNED OR CONTROLLED CORPORATION (GOCC) OR A LOCAL GOVERNMENT UNIT HAD VIOLATED ANY PROVISION OF THIS ACT, SANCTIONS UNDER THE ADMINISTRATIVE LAW, CIVIL SERVICE OR OTHER LAWS MAY BE RECOMMENDED TO THE CSC OR THE DILG AGAINST THE HEAD OF THE AGENCY OR THE LOCAL CHIEF EXECUTIVE AND THE PERSON DIRECTLY RESPONSIBLE FOR THE VIOLATION.*

CFO'S OPINION

- It has been 19 years since the passage of the landmark Solo Parents Welfare Act in 2000 and CFO supports the DSWD in pushing for the passage of the amendments which seeks to grant additional benefits to an estimated 15 million solo parents nationwide (DSWD estimates).
- We support Sen. Bong Go's initiative to decrease of waiting period from one year to six months before a solo parent may be allowed to avail of the benefits provided for in the law, and this should be without prejudice to the solo parent and his/her availment of other programs and services from the concerned government agencies.
- We understand that double hardship saddles solo parents as they perform parental duties single-handedly in the face of economic difficulties and the high cost of living. There is a need to amend the law to address the financial concerns of solo parents amidst the economic difficulties that the country is experiencing by affording them additional remuneration to be able to provide a better future for their children.
- The amendments will also benefit overseas Filipinos who maybe solo parents themselves. Working overseas is difficult enough while raising left behind children in the country. The proposed bill will also advance gender equality and promote women empowerment owing to the feminization of migration.
- Further, we support the additional benefits being proposed so that solo parents will be provided with much needed assistance so that they can aptly provide for the well-being of their children so they could be productive members of our society in the future.

