

TUESDAY, FEBRUARY 2, 1999

OPENING OF THE SESSION

At 3:32 p.m., the Senate President, Hon. Marcelo B. Fernan, called the session to order.

The President. The 58th session of the First Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Loren Legarda-Leviste.

Everybody rose for the opening prayer.

PRAYER

Senator Legarda-Leviste.

Let us all give thanks to the Almighty God who created the world and filled it with marvelous signs of His power.

May we who are gathered here today always be reminded of our divine duty—of being stewards to those that our Creator has graciously placed under our care.

Grant, O Lord, that we be responsible caretakers of the beauty and bounty of Nature—preserving its life-giving resources for the sake of future generations.

May we raise our arms to protect the weak, especially women and children who are helpless against the claws of oppression and evil.

May we seek to modestly imitate Your own goodness, Father, so that we may diligently devote ourselves to doing Your will.

Amen.

The President. Thank you, Senator Legarda-Leviste.

ROLL CALL

The Secretary will please call the roll.

The Secretary, reading:

Senator Teresa S. Aquino-Oreta Present

Senator Robert Z. Barbers Present
 Senator Rodolfo G. Biazon Present
 Senator Renato L. *Compañero* Cayetano Present
 Senator Anna Dominique M. L. Coseteng ... Present
 Senator Franklin M. Drilon Present
 Senator Juan Ponce Enrile Present
 Senator Juan M. Flavies Present
 Senator Teofisto T. Guingona Jr Present
 Senator Gregorio B. Honasan Present
 Senator Robert S. Jaworski Present
 Senator Loren B. Legarda-Leviste Present
 Senator Ramon B. Magsaysay Jr Present
 Senator Blas F. Ople Present*
 Senator John Henry R. Osmeña Present
 Senator Sergio R. Osmeña III Present*
 Senator Aquilino Q. Pimentel Jr **
 Senator Ramon B. Revilla **
 Senator Raul S. Roco Present
 Senator Miriam Defensor Santiago Present
 Senator Vicente C. Sotto III Present
 Senator Francisco S. Tatad Present
 The President Present

The President. With 19 senators present, there is a quorum.

The Majority Leader is recognized.

THE JOURNAL

Senator Drilon. Mr. President, I move that we dispense with the reading of the *Journal* of the previous session and consider it approved.

The President. Is there any objection? [*Silence*] There being none, the motion is approved.

Senator Drilon. I move that we proceed to the Reference of Business.

The President. Is there any objection? [*Silence*] There being none, the motion is approved.

The Secretary will read the Reference of Business.

* Arrived after the roll call

** On official mission

**MOTION OF SENATOR DRILON
(Nomination of Vice Chairmen
and Members of the Committee on Environment
and Natural Resources)**

Senator Drilon. Mr. President, there is also a reconstitution of the Committee on Environment and Natural Resources under Sen. Loren Legarda-Leviste. In addition to Sen. Gregorio Honasan as vice chairman, Sen. Anna Dominique Coseteng is likewise a vice chairman, and as members, Senators Juan Ponce Enrile, Rodolfo Biazon; Robert Jaworski, Ramon Magsaysay Jr., Ramon Revilla, Robert Barbers, Juan Flavie and Renato Cayetano.

The President. Is there any objection? *[Silence]* There being none, the same is hereby approved.

SPECIAL ORDERS

Senator Drilon. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders, Committee Report No. 15 on Senate Bill No. 1404, entitled

**AN ACT PROVIDING BENEFITS AND PRIVILEGES
TO SOLO PARENTS AND THEIR CHILDREN,
AND FOR OTHER PURPOSES.**

We so move.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

**BILL ON SECOND READING
S. No. 1404 - Solo Parents Welfare Act**

Senator Drilon. Mr. President, I move that we consider Senate Bill No. 1404 as reported out under Committee Report No. 15.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 1404 is now in order. The Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

The Secretary. Senate Bill No. 1404, entitled

**AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES
TO SOLO PARENTS AND THEIR
CHILDREN, AND FOR OTHER PURPOSES**

The following is the whole text of the bill:

Senate Bill No. 1404

**AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES
TO SOLO PARENTS AND THEIR
CHILDREN AND FOR OTHER PURPOSES**

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

**TITLE I
GENERAL PROVISIONS**

SECTION 1. Title. - This Act shall be known as the "Solo Parents Welfare Act."

SEC. 2. Purpose. - This Act aims to promote the family as the foundation of the nation, strengthen its solidarity and ensure its total development. Towards this end, it shall develop a comprehensive program of services for solo parents and their children to be carried out by the Department of Social Welfare and Development (DSWD), the Department of Health (DOH), Department of Education, Culture and Sports (DECS), the Department of the Interior and Local Government (DILG) and other related government and non-government agencies.

SEC. 3. Definition of Terms. - Whenever used in this Act, the following terms shall mean as follows:

- (a) *Family* - shall refer to a one-parent family.
- (b) *Solo Parent* - shall refer to any individual who falls under any of the following categories:
 1. Rape victim. A woman who gives birth as a result of rape;
 2. Parent left solo or alone with responsibility of parenthood due to death of spouse;
 3. Parent left solo or alone with responsibility of parenthood because of incarceration of spouse for more than a year due to criminal conviction;
 4. Parent left solo or alone with responsibility of parenthood due to physical and/or mental incapacitation of spouse;
 5. Parent left solo or alone with responsibility of parenthood due to legal separation or *de facto* separation from spouse;

6. Parent left solo or alone with responsibility of parenthood due to 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;
7. Parent left solo or alone with responsibility of parenthood due to abandonment of spouse; and
8. Unwed 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; and
9. Spouses of migrant workers left behind with the responsibility of caring for the children.

(c) *Children* - refer to those living with and dependent upon the solo parent for support who are unmarried, unemployed, and not more than eighteen (18) years of age, or even over eighteen (18) years but are incapable of self-support because of mental and/or physical defect/deformity.

(d) *Parental Responsibility* - with respect to their minor children shall refer to the rights and duties of the parents as defined in Article 220 of Executive Order No. 209 as amended, otherwise known as the "Family Code of the Philippines."

(e) *Parental Leave* - shall mean leave benefits granted to a solo parent to enable him/her to perform parental duties and responsibilities where physical presence is required.

(f) *Flexible Work Schedule* - is the right granted to a solo parent employee to vary his/her arrival and departure time without affecting the core work hours as defined by the employer.

SEC. 4. *Criteria for Support*. - Any solo parent whose income in the place of domicile, including those of other household members, falls below the poverty threshold, as set by the National Economic and Development Authority (NEDA) shall be eligible for assistance.

TITLE II SOCIAL SERVICES

SEC. 5. *Comprehensive Package of Social Development and Welfare Services*. - A comprehensive package of social development and welfare services for solo parents and their families will be developed by

the Department of Social Welfare and Development (DSWD) in coordination with other agencies and in consultation with NGOs.

The DSWD shall coordinate with concerned agencies the implementation of the comprehensive package of social development and welfare services for solo parents and their families. The package will initially include:

(a) *Livelihood Development Services* - This will include trainings on livelihood skills, basic business management, value orientation and the provision of seed capital or job placement.

(b) *Counselling Service* - This may be individual, peer group or family counselling. This will focus on the resolution of personal relationship and role conflicts.

(c) *Parent Effectiveness Service* - This is the provision and expansion of knowledge and skills of the solo parent on early childhood development, behavior management, health care, rights and duties of parents and children.

(d) *Critical Incidence Stress Debriefing* - This service provides a hotline for women in crises and for concerned citizens who report on cases of abuse for immediate assistance.

(e) *Special Projects for Individuals in Need of Protection* - This project consists of temporary shelter, medical care, self-concept or ego-building, crisis management and spiritual enrichment.

SEC. 6. *Flexible Work Schedule*. - The employer shall provide for a flexible working schedule for solo parents: *Provided*, That the same shall not affect individual and company productivity: *Provided, further*, That any employer may request exemption from the above requirements from the Department of Labor and Employment (DOLE) on certain meritorious grounds.

SEC. 7. *Work Discrimination*. - No employer shall discriminate against any solo parent employee with respect to terms and conditions of employment on account of his/her status.

SEC. 8. *Parental Leave*. - In addition to leave privileges under existing laws, parental leave of at least ten (10) working days every year shall be granted to any solo parent employee who has rendered an aggregate

service of at least six (6) months for the last twelve (12) months.

SEC. 9. Educational Benefits. - (a) The Department of Education, Culture and Sports (DECS) shall provide the following benefits and privileges: (1) Scholarship programs for qualified solo parents and their children; and (2) non-formal education programs appropriate to the needs of solo parents and their children.

(b) Solo parents and their children who are not eligible for scholarship shall be entitled to a forty percent (40%) discount on all school fees in any institute of learning.

The DECS shall promulgate rules and regulations for the proper implementation of this program.

SEC. 10. Housing Benefits. - Solo parents shall be given allocations in housing projects and shall be provided with liberal terms of payment on said government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line.

SEC. 11. Medical Assistance. - The Department of Health shall develop and implement a comprehensive health care program for solo parents and their children.

The DOH shall promulgate rules and regulations for the proper implementation of this program.

SEC. 12. Additional Powers and Functions of the Bureau of Family and Community Welfare (BFCW), Department of Social Welfare and Development. - In addition to its powers and functions as defined in Executive Order No. 123 reorganizing the Ministry of Social Services and Development, the DSWD shall perform the following additional powers and functions relative to the welfare of solo parents and their family:

(a) Coordinate with various government and non-government agencies including Local Government Units, DECS, DOH, National Housing Authority (NHA), Housing and Urban Development and Coordinating Council (HUDCC), and others as maybe needed to implement the services for solo parents and their families herein provided for.

(b) Draft the Implementing Rules and Regulations of this law which will include the criteria for beneficiaries and livelihood components for solo parents and their families.

(c) Negotiate a Memorandum of Agreement with concerned agencies and/or create an Oversight Committee for the proper implementation of the provisions of this law.

TITLE III FINAL PROVISIONS

SEC. 13. Appropriations. - Such sum as may be necessary to implement the provisions of this Act shall be charged against the regular appropriation of the DSWD, DECS, DILG and DOH. Thereafter, funds for its continued operation shall be proportionately appropriated from the annual appropriations of the aforementioned agencies.

SEC. 14. Repealing Clause. - All laws, decrees, executive orders or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 15. Separability Clause. - If any provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SEC. 16. Effectivity Clause. - This Act shall take effect fifteen (15) days following its complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,

Senator Drilon. For the sponsorship speech, Mr. President, may I ask that Sen. Teresa Aquino-Oreta be recognized.

The President. Sen. Teresa Aquino-Oreta is recognized for the sponsorship speech.

SPONSORSHIP SPEECH OF SENATOR ORETA

Senator Aquino-Oreta. Thank you, Mr. President.

Mr. President, my distinguished colleagues:

Philippine society has long held sacred the concept of the "family" as the basic social institution, as the foundation of society. Thus, in our school textbooks as well as in our laws, we have immortalized the ideology of the Filipino nuclear family composed of a father, mother and children, each imbued with a particular role to play.

As we move into the next millennium, we again call to mind the Filipino family and examine the realities within which it survives. What are the present problems confronting the family? What challenges lie ahead? What are its hopes for the future? What is the face of the Filipino family today?

There are about 13.5 million Filipino households as of the end of 1997. Of this number, 12.2% are female-headed. The average size consists of five members. The poverty threshold is pegged at P11,388 monthly income for the same family size. A staggering 4.55 million families fall below this line. Poverty incidence in the Philippines is rated at 32.1%.

The numbers speak for themselves. Almost half of our population continue to be deprived of basic human needs for food, shelter, health services and education. With the ongoing economic contagion besetting the region, the consequent rise in unemployment rates and the corresponding dive in family incomes, a feeble peace-and-order situation, rapid migration, a bright and rosy future is a bit beyond the grasp of majority of Filipino families.

Raising a family, caring for and nurturing the young have become increasingly difficult these days. The burdens of parenting are manifold and are not alleviated by prevailing socio-economic conditions.

Caregiving, which lies at the core of family life, places the heaviest demand on the parents. This entails day-to-day activities that shape the character, values and future. The kind and amount of care given determines whether or not the family becomes a stable and nurturing place for children.

If shared by two, as in the traditional nuclear families, the task of caregiving is alleviated. But left alone to one parent, the demands grow not just twice but a hundredfold. The magnitude of the parenting responsibility becomes tremendous.

Mr. President, as chairperson of your Committee on Youth, Women and Family Relations, I have the honor to submit for the consideration of this august Body, Senate Bill No. 1404, entitled "Solo Parents Welfare Act." This bill is a consolidation of Senate Bill Nos. 93, 216 and 998, principally authored by Senator Flavio, Sen. Sergio Osmeña III and this representation, respectively, and coauthored by Senator Coseteng and Sen. John Osmeña.

First filed during the Ninth Congress, this bill is aimed at providing a package of socio-economic benefits to solo parents and their families. Essentially, this proposed measure recognizes the more difficult status of single-headed households. It is an acknowledgment of their existence and the peculiar hardships that they struggle with to raise their children as productive adults.

Ultimately then, the bill targets children in solo parent families. It is primarily the welfare of children in these families that deserve our highest attention. All the rights and privileges envisioned in this proposed measure should redound to the children.

Mr. President, please allow me a personal note. My own late mother, Dona Aurora Aquino, single-handedly raised all seven of us after my father died when I was about a year old. As a widow, she had to cope alone with the tasks of providing for our daily sustenance, of educating and guiding us for our intellectual, moral and spiritual development, of ensuring our safety and well-being. She steered our family through the most trying of times and the best of times. That is why this measure is of special significance to this representation.

But apart from its personal meaning, the bill is likewise an attempt at debunking the social stereotype against solo-parent families as "broken homes." The social stigma and bias attached to single parents and their children have perhaps shadowed past efforts to give recognition to them.

Changing demographics, the rapid shift from rural to urban areas, the slowly shifting roles of women and men in all spheres of life, the effects of crime and other modern factors have contributed to the emergence of one-parent families.

Our conventional concept of a family headed by a man as the chief provider and the wife as a homemaker and carer of children no longer characterizes a substantial number of Filipino families. Thus, in this bill solo parents are clustered into five, as follows:

1. Solo parents by death of a spouse;
2. Solo parents by decision, resulting from divorce, legal separation, annulment of marriage, separation *de facto*, abandonment and other similar circumstances;
3. Solo parents by choice, or those who give birth to or adopt a child alone;
4. Solo parents to non-usual circumstances such as rape, prostitution, abuse or violence, or absence as in war or kidnapping; and
5. Temporary solo parents such as spouses of migrant workers, those incarcerated, detained or are in exile.

In 1995, almost two million Filipinos were widowed by the death of a spouse. Nearly half a million were separated or divorced. Of the 14.2 million women who married in the same period, 1.5% ended in separation. Every year, 200,000 Filipinos,

mostly women, go overseas in search of work, especially in high-risk areas such as domestic service and entertainment. We do not know exactly how many of those registered as single or legally married are practically left with the responsibility of caring for their families by themselves. The country's statistical system does not reveal these facts, but we can be sure that there is a large number of single parents within these two categories.

There are admirable women and men who have conquered formidable odds to competently rear their children and maintain their families. They often succeeded out of sheer will to provide for their children, overcoming great material and emotional obstacles in the process. They are in constant need to devise their own support systems in order to meet their huge parenting responsibilities. They confront all these challenges without benefit of a partner, in the absence of alternative child care arrangements, amidst the daily reality of ebbing resources. They go through parenting children alone.

It is time, Mr. President, that the State shared in the task of parenting by solo parents.

Senate Bill No. 1404 seeks precisely to achieve this. We intend to draw upon existing programs and services of government and ensure that solo parents and their children can have access to them.

Responding to the needs of single-parent families, most of whom live under difficult circumstances, is a responsibility of the State. Besides, it is an investment that entails little cost to the government but warrants a high return in terms of children who grow up to be confident and useful adults. The benefits provided in the bill are intended to curb the public cost of illness and curative health care, the public cost of child abuse and juvenile delinquency and rehabilitation, as well as the cost of other social problems that stem from the lack of a responsive support system for families.

If we can establish by law these enabling mechanisms to assist solo parents and their families, then we invest in an effective preventive approach to many of the social problems we now face. Moreover, we will render fealty to the state principles of recognizing the sanctity of family life and the family as the foundation of the nation.

Mr. President, this proposal is an affirmative action to assure self-reliance for solo-parent families. More than being a plea in behalf of solo parents and their children, this proposal is an action agenda to further promote the welfare of the Filipino family.

Thank you.

The President. Thank you, Sen. Teresa Aquino-Oreta.

The Majority Leader is recognized.

Senator Drilon. Mr. President, we wish to extend our congratulations to Senator Aquino-Oreta for her sponsorship speech.

SUSPENSION OF CONSIDERATION OF S. NO. 1404

Senator Drilon. Mr. President, we move to suspend consideration of Senate Bill No. 1404 as reported out under Committee Report No. 15 so that our colleagues may go over the sponsorship speech and the bill itself and enable them to ask their questions, if any, during the period of interpellations.

The President. Is there any objection to the motion? *[Silence]* There being none, the motion is hereby approved.

MANIFESTATION OF SENATOR DRILON (On the Information Given that the Committee on Economic Affairs Has Nine Members)

Senator Drilon. Mr. President, before we proceed to the next item, may I just make a manifestation that upon verification from the Secretary of the Senate, the Committee on Economic Affairs has nine members, not 12 as manifested previously.

The President. Nine members?

Senator Drilon. Yes, Mr. President, including the chairman. Mr. President, may we move to resume consideration...

The President. Before we act on the motion, Senator Tatad is recognized.

Senator Tatad. Mr. President, the statement of the Majority Leader is correct. I was given the initial information that there were 12 members, and then later I was told that the three others are *ex officio* members. So this is a correct information.

Thank you very much, Mr. President.

The President. Let it be noted. Please proceed.

BILL ON SECOND READING S. No. 1255 - Clean Air Act (Continuation)

Senator Drilon. Mr. President, I move that we resume consideration of Senate Bill No. 1255 as reported out under Committee Report No. 8.

The President. Is there any objection? *[Silence]* There being