

22 July 2020

UNDERSECRETARY ANTONIO A. GALLARDO

Presidential Legislative Liaison Office
2nd Floor Annex New Executive Building
Malacañang Palace
Manila

Dear **Undersecretary Gallardo**:

We are pleased to submit the Department's position on Senate Bill No. 1411, entitled:

An Act Amending Republic Act No. 8972 Otherwise Known As "An Act Providing for Benefits and Privileges to Solo Parents and Their Children, Appropriating Funds Therefor and for Other Purposes"

This is without prejudice to the Department's submission of additional inputs.

With my best regards.

Very truly yours


RAMON M. LOPEZ
Secretary



OFFICE OF THE SECRETARY



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DTI Position on

Senate Bill No. 1411¹

"An Act Amending Republic Act No. 8972 Otherwise Known As 'An Act Providing for Benefits and Privileges to Solo Parents and Their Children, Appropriating Funds Therefor and for Other Purposes'"

DTI recognizes the intent of the proposed substitute bill² to alleviate the difficult conditions being experienced by solo parents³ through the grant of additional benefits that may provide relief from their predicament. This in response to the current needs and challenges that solo parents and their children continue to face amidst a much changed milieu after twenty (20) years since Republic Act (RA) No. 8972, or the Solo Parents' Welfare Act of 2000 and its Implementing Rules and Regulations (IRR) have been implemented.

RA 8972 and its IRR provide for a comprehensive package of social development and welfare services and privileges for solo parents and their children that, among others, include the following: livelihood, self-employment and skills development, employment-related benefits, psychosocial, educational, health and housing services⁴ to be carried out by the specified government agencies.⁵

The government acknowledges solo parents as among the vulnerable sectors of our society. The poverty rate of a child from a single parent home is three times the rate for children in two parent homes, a study cited.⁶ On a global scale, data from the Organization for Economic Cooperation and Development (OECD) countries from mid- to late 2000s confirmed that children in solo-parent families

¹Also to be known as the "Expanded Solo Parents Welfare Act of 2020"

² In substitution of previously-filed 18th Congress Senate Bill Nos. (SBNs) 86, 164, 206, 238, 307, 951 and 1014

³ About more than 17 million in the Philippines based on data from the Philippine Statistics Authority (PSA) as of December 2018. See Marje Pelayo, "Benefits of single parents under the Solo Parent Act," 12 December 2018 as accessed @ <https://untvweb.com/news/benefits-of-single-parents-under-the-solo-parent-act/>

⁴ Q & A: Solo Parents Welfare Act and Parental Leave, Philippine Statistics Gender Statistics section @ www.psa.gov.ph

⁵ Department of Social Welfare and Development (DSWD), the Department of Health (DOH), the Department of Education (DepEd), the Department of the Interior and Local Government (DILG), the Commission on Higher Education (CHED), the Technical Education and Skills Development Authority (TESDA), the National Housing Authority (NHA), the Department of Labor and Employment (DOLE) and other relevant government and non-government agencies

⁶ See Chelsea P. Blackstone-Strother, Single Parent Families as retrieved@ <http://www.studymode.com/essay/s>

face an elevated poverty risk.⁷ Hence, the additional benefits espoused by the measure, along with other special programs, can address the constraints faced by solo parents.

The Department reiterates its position⁸ on specific provisions of the bill that have relevance to its mandates and responsibilities, viz:

Proposed Provisions	DTI Position
<p>Sec. 3. Section 3 of Republic Act No. 8972 is amended to read as follows:</p> <p>"Sec. 3. <i>Definition of Terms.</i> - Whenever used in this Act, the following terms shall mean as follows: (a) "Solo parent" - any individual who falls under any of the following categories: (1) A FEMALE who gives birth as a result of rape and other crimes against PERSONS even without a final conviction of the offender: <i>Provided</i>, That the mother HAS THE CUSTODY OF THE CHILD OR CHILDREN AND BEARS THE SOLE PARENTAL RESPONSIBILITY;</p>	<ul style="list-style-type: none"> • The Department opines to retain the phrase crimes against "chastity" which was deleted. While we recognize that RA No. 8353 or the Anti-Rape Law of 1997 has reclassified rape as a crime against persons, we are of the view that there are other crimes against chastity relative to child-bearing (e.g., Simple Seduction, Qualified Seduction).
<p>Sec. 13. A new Section 15 is hereby inserted to read as follows:</p> <p>"SEC. 15. ADDITIONAL BENEFITS. - A SOLO PARENT SHALL BE ENTITLED TO THE FOLLOWING ADDITIONAL BENEFITS: A) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF INFANT FORMULA, FOOD, FOOD SUPPLEMENTS AND SANITARY DIAPERS FOR PURCHASES MADE FROM CHILD'S BIRTH UNTIL THREE (3) YEARS OF AGE: PROVIDED, THAT THE DISCOUNT</p>	<ul style="list-style-type: none"> • On providing 20% discount for all purchases of infant formula, food, food supplements and sanitary diapers from the birth of the child of a solo parent until he/she reaches three years of age, the Department suggests considering instead the 5% discount granted to Senior Citizens and Persons with Disabilities (PWDs) for the purchase of goods listed as basic necessities and prime commodities (BNPCs) as provided for in the IRRs of both laws as well as in specific executive

⁷ See OECD, *Doing Better for Families* (2011) retrieved @ <http://www.keepeek.com/Digital-Assisted-Management/oecd/social-issues-migration-health/doing-better-for-families>

⁸ Adopted from previously-submitted official DTI Position Paper covering SBNs 86, 164, 206, 238, 307, and 951 dated 27 September 2019

ON INFANT FORMULA CAN ONLY BE AVAILED OF WHEN THE SOLO PARENT IS NOT THE MOTHER;

C) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF MEDICINES, VACCINES AND OTHER MEDICAL SUPPLEMENTS, SUPPLIES, ACCESSORIES AND EQUIPMENT FOR THE CHILD, AS PRESCRIBED BY A LICENSED MEDICAL PRACTITIONER, FOR PURCHASES MADE FROM THE CHILD'S BIRTH UNTIL TWENTY TWO (22) YEARS OF AGE;

D) TWENTY PERCENT (20%) DISCOUNT FROM ALL PURCHASES OF THE CHILD'S BASIC NECESSITIES;

issuances relating to the sectors concerned, to wit:

- Sec. 9 of IRR of RA 10754⁹ and Sec. 7 of IRR of RA 9994¹⁰ - Special Discounts in Special Programs: To the extent possible, the government may grant special discounts in special programs for persons with disability on the purchase of basic necessities and prime commodities subject to the guidelines to be issued for the purpose by the Department of Trade and Industry and the Department of Agriculture.
 - Joint DTI-DA-DoE Administrative Order No. 17-01 series of 2017 - grants PWDs a special discount of 5% off the regular retail price of the BNPCs as defined in RA 7581 or the Price Act.¹¹
 - Bureau of Internal Revenue (BIR) Regulation No. 9-2019, dated 12 September 2019 – supplements BIR Regulation No. 5-2017, issued April 2017 implementing RA 10754 and reiterates the expanded scope of BNPCs covered by the 5% special discount granted to PWDs.
- In addition, the Department takes into account the business sector's minimal profit margin from groceries and supermarket goods which does not justify a discount on BNPCs higher than the 5% afforded to senior citizens and PWDs.

⁹ An Act Expanding the Benefits and Privileges of Persons with Disability, signed 1 December 2016

¹⁰ Expanded Senior Citizens Act of 2010

¹¹ Baby Gil Mendoza, Expanded Coverage of 5% PWD discount, 6 January 2020 @ <https://www.manilatimes.net>

	<ul style="list-style-type: none">• With regard to granting 20% discount from all purchases of medicines, vaccines and other medical supplements, supplies, accessories and equipment from the child's birth until he/she reaches 22 years of age, the Department opines that instead of discount privileges, legislators and policymakers should consider providing alternative or supplemental income sources or livelihood opportunities to augment or enhance the income-generating capacities of solo parents, and thus, their purchasing capacity.• The DTI emphasizes that the relevance of current programs and services providing educational, employment, and livelihood skills/training opportunities, in both the formal and informal sectors, must be carefully harnessed and strengthened to cater to the needs of solo parents and their children. As such, present programs and services being offered by the Department of Labor and Employment (DOLE), the Civil Service Commission (CSC), the Technical Education and Skills Development Authority (TESDA) and the Philippine Technical Training Center (PTTC) which are both under the Department of Trade and Industry (DTI), as well as the Department of Agriculture (DA) and other agencies must be revisited if they are indeed responsive to the issues of solo parents and if need be, carefully amended to address solo parents' concerns. Besides possible discounts on skills training fees, these can also be given for free
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	if the enrollee or applicant is a solo parent or a child of a solo parent.
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With due consideration of its position as stated in the foregoing, the Department reiterates its support to the intent of the substitute bill.

In addition, we acquiesce to the Department of Social Welfare and Development (DSWD)— the agency mandated with additional powers and functions relative to the welfare of solo parents and their families— as provided for in RA 8972, for substantive inputs on the merits of the proposed measures.

Layapinchay

**Bureau of Trade and Industrial Policy Research
18 May 2020**

Ref: BTIPR-052020-17

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