

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

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 145



Introduced by HON. EDGAR M. CHATTO
1ST DISTRICT, BOHOL

EXPLANATORY NOTE

Our children's physical, moral, spiritual, intellectual and social well-being must be assured. They should also be protected from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development. They should be given the appropriate nutrition, care and assistance. These principles are explicitly articulated under Section 13, Article II and Section 3, paragraph 2, Article XV of the 1987 Constitution.

Presently, however, many of our children are either victims of abuse or sexual exploitation or are abandoned. Reported cases of abuse or sexually exploited or abandoned children are increasing by the day. One only needs to read the daily newspapers and tabloids to be appraised of such cases.

This bill seeks to amend R.A. No. 7610 otherwise known as *The Special Protection of Children against Child Abuse, Exploitation and Discrimination Act*, to effectively implement the two principles cited under the 1987 Constitution.

During the 12th Congress, this bill was referred to the House Committee on Social Services on 1st Reading. But due to time constraints it was never taken up again. This bill is therefore re-filed for the consideration of this Congress.


REP. EDGAR M. CHATTO

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AN ACT INSTITUTING A CHILDREN'S WELFARE FUND FOR THE PROTECTION AND REHABILITATION OF ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN AMENDING FOR THIS PURPOSE REPUBLIC ACT NUMBERED 7610, OTHERWISE KNOWN AS *THE SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION ACT*

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

SECTION 1. It shall be the policy of the State to recognize the vital role of the youth in nation-building. Towards this end, it shall promote and protect their physical, moral, spiritual, intellectual and social well-being.

Sec. 2. There shall be incorporated after Sec. 30 of R.A. No. 7610 three new sections to read as follows:

SEC. 31. CHILDREN'S WELFARE FUND FOR ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN. - IN ORDER TO EFFECTIVELY PROTECT AND REHABILITATE CHILDREN WHO ARE VICTIMS OF ALL FORMS OF ABUSE AND SEXUAL EXPLOITATION, THERE IS HEREBY ESTABLISHED A PROTECTION AND REHABILITATION FUND FOR ABUSED AND SEXUALLY EXPLOITED CHILDREN IN THE AMOUNT OF ONE HUNDRED MILLION PESOS (P100,000,000.00) TO BE KNOWN AS CHILDREN'S WELFARE FUND, TO BE CONSTITUTED FROM THE FOLLOWING SOURCES:

- A) FIFTY MILLION PESOS (P50,000,000.00) FROM THE FUNDS IN THE NATIONAL TREASURY WHICH IS NOT OTHERWISE APPROPRIATED;

- B) THIRTY MILLION PESOS (P30,000,000.00) FROM THE PRESIDENT'S CONTINGENCY FUND; AND
- C) TWENTY MILLION PESOS (P20,000,000.00) FROM THE PROCEEDS OF LOTTERY OPERATIONS OF THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO).

THEREAFTER, SUCH SUMS AS MAY BE NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT SHALL BE INCLUDED IN THE SUBSEQUENT GENERAL APPROPRIATIONS ACT WHICH SHALL IN NO CASE BE LOWER THAN THE PREVIOUS APPROPRIATIONS.

SEC. 32. USES OF THE FUND FOR ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN. – THE FUND CREATED UNDER THE IMMEDIATELY PRECEDING SECTION SHALL BE USED EXCLUSIVELY TO:

- A) PROVIDE PROTECTION AND ASSISTANCE TO ABANDONED OR ABUSED OR SEXUALLY EXPLOITED CHILDREN;
- B) ESTABLISH, OPERATE AND MAINTAIN SUCH FACILITIES NECESSARY TO REHABILITATE SUCH CHILDREN;
- C) PROVIDE BASIC EDUCATION; AND
- D) ASSIST THE STATE IN CURTAILING ALL FORMS OF CHILD ABUSE.

SEC. 33. MANAGEMENT OF THE FUND UNDER THIS ACT, ANNUAL REPORT BY THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD). – THE CHILDREN'S WELFARE FUND FOR ABANDONED, ABUSED AND SEXUALLY EXPLOITED CHILDREN SHALL BE UNDER THE SUPERVISION, CONTROL AND MANAGEMENT OF THE DSWD. THE DSWD SECRETARY SHALL SUBMIT TO THE PRESIDENT OF THE PHILIPPINES AND TO THE PRESIDING OFFICERS OF BOTH HOUSES OF CONGRESS, WITHIN FIFTEEN (15) DAYS FROM THE OPENING OF THE

REGULAR SESSION, AN ANNUAL REPORT ON THE CHILD ABUSE AND EXPLOITATION SITUATION IN THE COUNTRY WHICH SHALL INCLUDE A DETAILED ACCOUNT OF THE PROGRAMS AND PROJECTS UNDERTAKEN, STATISTICS ON CHILD ABUSE AND SEXUAL EXPLOITATION CASES AND CRIMES RELATED THERETO, EXPENSES INCURRED PURSUANT TO THE PROVISIONS OF THIS ACT, RECOMMEND LEGISLATION, IF NEEDED, AND SUCH OTHER RELEVANT FACTS AS IT MAY DEEM PROPER TO REPORT: *PROVIDED* THAT, THIS REPORT SHALL BE INCORPORATED AS A SEPARATE AND DISTINCT ITEM IN THE ANNUAL STATE OF THE NATION ADDRESS OF THE PRESIDENT BEFORE BOTH HOUSES OF CONGRESS.

Sec. 3. If any provisions of this Act is declared unconstitutional or the application thereof to any person, circumstance or transaction is held invalid, the validity of the remaining provisions of this Act or the applicability of such provisions to other persons, circumstances or transactions shall not be affected thereby.

Sec. 4. The provisions of all other laws, decrees, orders, rules or regulations or part thereof inconsistent with this Act are hereby repealed accordingly.

Sec. 5. This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette, or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved,