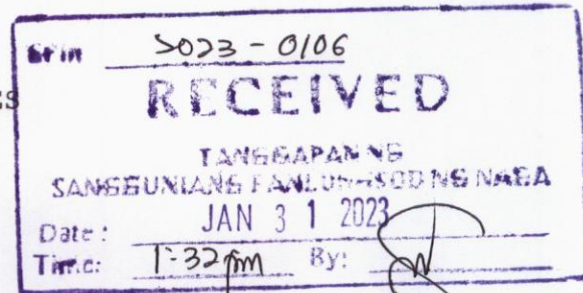




REPUBLIC OF THE PHILIPPINES  
SANGGUNIANG PANLUNGSOD  
City Government of Naga



**ORDINANCE 2023-XXX**

**AN ORDINANCE ADOPTING AND/OR LOCALIZING THE IMPLEMENTATION REPUBLIC ACT 11861 OR ALSO KNOWN AS AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES TO SOLO PARENTS AND THEIR CHILDREN, APPROPRIATING FUNDS THEREFORE AND FOR OTHER PURPOSES.**

**Author: Hon. Antonio Beltran**

**EXPLANATORY NOTES**

WHEREAS, Article II, Section 12 of the Philippine Constitution mandates the recognition of the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution.

WHEREAS, Republic Act No. 8972 otherwise known as Solo Parent's Welfare Act of 2000 amplifies the government's role in promoting the family as the foundation of the nation, strengthening its solidarity and ensuring its total development.

WHEREAS, Republic Act No. 8972 otherwise known as Solo Parent's Welfare Act of 2000 mandates the government to extend comprehensive programs and 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), the Department of Education, Culture and Sports (DECS), 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 related government and non-government agencies.

WHEREAS, Republic Act 11861 otherwise known as Expanded Solo Parents Act amends Republic Act No. 8972 otherwise known as the Solo Parent's Welfare Act of 2000 which was signed last June 4, 2022.

WHEREAS, Republic Act 11861 otherwise known as Expanded Solo Parents Act grants additional support and benefits to solo parents in keeping with the policy of the state to promote social justice.

WHEREAS, Guided by Republic Act 7160 otherwise known as the Local Government Code of 1991, Local Government Units (LGUs) are mandated to promote the general welfare of their constituents.

NOW, THEREFORE, BE IT ENACTED, as it is hereby enacted by the Sangguniang Panglungsod of Naga, in session assembled, by virtue of the power vested in it by law, that:

**Section 1. RA 11861 Adoption-** it is hereby the policy of the City Government of Naga to adopt and localize the implementation of the Expanded Solo Parents Welfare Act and ensure that all provisions of the law will effectively be implemented.

## **Section 2. Definition of Terms:**

2.1 Child Minding Centers- a facility or area within the workplace or accessible locations to the solo parent or workplace of the guardian provided by the employer where the children of the solo parent employee aged seven (7) years old and below are habitually received for purpose of care and supervision during working hours;

2.2 Children or dependents- those who live or are dependent upon the solo parent for support who are unmarried, unemployed, and twenty-two (22) years old but who are unable to fully take care or protect themselves from abuse, neglect cruelty, exploitation, or discrimination because of physical or mental condition: Provided, That this definition shall only apply for purpose of availing the benefits under this Act;

2.3 Flexible work schedule- work arrangement granted to a solo parent employee to vary the arrival and departure time in the workplace without affecting the core work hours as defined by the employer;

2.4 Parental care and support- an act of providing basic needs, health care, mental and physical safety, emotional support and formation of the personality of the child;

2.5 Parental leave- granted to a solo parent to enable the performance of parental duties and responsibilities where physical presence is required or beneficial for the child; and

2.6 Spouse- refers to husband or wife by virtue of a valid marriage or partner in a common-law relationship as defined under Article 147 of Executive No. 209, otherwise known as "The Family Code of the Philippines".

**Section 3. Duties and Responsibilities of the Local Government of Naga-** To ensure the effective implementation of the law, the Local Government of Naga and concerned steward of this law shall perform the following duties and responsibilities;

3.1 Pass an ordinance, in line with the provisions stated in RA 11861, to ensure that the City of Naga effectively responds to the mandate of the law and maximizes its effort in reaching all its target beneficiaries.

3.2 Instruct and inform the City Social Welfare and Development Office (CSWDO), City Health Office (CHO), Education, Scholarships, and Sports Office (ESSO), Metro PESO, and Person with Disability Affairs Office (PDAO) about the mandate of the law concerning their office such as follows;

(a) "SEC. 14. Social Safety Assistance. - During disasters, calamities, pandemics, and other public health crises as may be declared by the DOH, the solo parents and their children are entitled to social safety assistance such as food, medicines, and financial aid for domicile repair in the LGUs where the solo parents and their children are residing, subject to the guidelines of the DSWD. The LGUS shall ensure that the budget for social safety assistance is included in the calamity funds of LGUS."

(b) "SEC. 15. Additional Benefits. - A solo parent shall be entitled to the following additional benefits:

(d) Prioritization of solo parents, particularly solo mothers in re-entering the workforce, and their children as applicable, in apprenticeships, scholarships, livelihood training, reintegration programs for OFWs, employment



information and matching services, and other poverty alleviation programs of the TESDA, DTI, CHED, DepEd, DOLE, DMW and other related government agencies, subject to the standard eligibility and qualifications; and

(a) Means-, pension, and subsidy-tested monthly cash subsidy of One thousand pesos (P1,000.00) per month per solo parent who is earning a minimum wage and below, to be allocated by the concerned city or municipal government in accordance with Section 17(b)(2)(iv) of the Local Government Code: Provided, That for fifth (5th) class municipalities and lower, as well as the five hundred (500) municipalities with the highest poverty incidence based on the latest municipal-level small area poverty estimates, cash subsidy allocations may be taken from the Gender and Development (GAD) budget and the amount of cash subsidy per recipient may be dependent on the amount of the GAD budget: Provided, further, That the solo parent under this section is not a recipient of any other cash assistance or subsidy from any other government programs: Provided, finally, That a beneficiary who is also a senior citizen or a person with disability (PWD) may continue receiving senior citizen or PWD benefits without forfeiting the benefits under this Act;

© "SEC. 17. The Solo Parents Office or Division. - There shall be established a Solo Parent Office (SPO) in every province and city and a Solo Parent Division (SPD) under the Municipal Social Welfare and Development Office in every municipality. Solo Parent Division (SPD) shall have and/or perform the following;

1. Monitor compliance with the provisions of this Act, particularly the grant of privileges and additional benefits;
2. The head of the SPO must be a licensed social worker and the head of the SPD must possess a bachelor's degree.
3. Report to the governor, mayor, or office of the social welfare, any individual, establishment, business entity, institution, or agency that violates any provision of this Act;
4. The heads of the SPO and SPD shall hold permanent positions with at least a Salary Grade 12 and Salary Grade 10, respectively, and shall be appointed by the governor or mayor, as the case may be.
5. Assist the solo parents in filing the complaints against any individual, establishment, business entity, institution, or agency that refuses or fails to provide the privileges and additional benefits of solo parents granted under this Act; and
6. The SPO shall have at least three (3) staff members while the SPD shall have at least one (1) staff member.
7. Provide such other services as may be required under this Act."

(d) Recording and Maintaining a Solo Parents Database. - The DSWD, in coordination with the DILG, shall establish and maintain a centralized database of all solo parents who have been issued SPIC or booklets by the SPOs and SPDs. To this end, the LGUs shall submit the list of solo parents receiving benefits under this Act to the DSWD on a quarterly basis.

(e) "SEC. 20. SPIC and Booklet. - The SPO of the province or city, or the SPD of the municipality shall review and verify the

documents submitted by the applicant and shall issue the SPIC and booklet, if applicable, within seven (7) working days from receipt of complete documents. In case of dispute, the Municipal/City/Provincial Social Welfare and Development Office (M/C/PSWDO), as the case may be, shall resolve the same within five (5) working days.

The SPIC and booklet are valid for one (1) year.

3.3 The city through the assistance of the barangay government shall maximize its effort in information dissemination regarding the new mandates under RA 11861 to all solo parents of Naga.

**Section 4. Duties and Responsibilities of the Barangays in Naga City.**

4.1 Pass an ordinance, in line with the provisions stated in RA 11861, to ensure that the City of Naga effectively responds to the mandate of the law and maximizes its effort in reaching all its target beneficiaries.

4.2 Assist the LGU of Naga in identifying and informing beneficiaries of the law as well as the implementation of its new provisions.

**Section 5. Source of Funds-** The implementation of and localization of the Expanded Solo Parents Act may be charged against the Gender and Development (GAD) budget or other sources of funds subject to availability, thereof, and to existing accounting and auditing rules and regulations.

**Section 6. Declaration of Intent to Conform with Law-** This ordinance is subject to national laws, Rules, and regulations governing its subject matter.

**Section 7. Penal Provisions-** Any violations of the provisions of this Ordinance, after due notice and hearing, shall suffer the corresponding penalties as provided in RA 11861.

**Section 8. Applicability Clause-** All matters relating to the impositions of this Ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

**Section 9. Separability Clause-** If for any reason, any section of this ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby, shall continue to be in full effect.

**Section 10. Repealing Clause-** All ordinances, rules, and regulations, as part thereof, in conflict with or inconsistent with any provision of this Ordinance, are hereby repealed or modified accordingly.

**Section 11. Effectivity Clause-** This Ordinance shall take effect after its approval.

**ENACTED** this xx day of February 2023 at the Session Hall of the Local Government Unit of Naga.

**I HEREBY CERTIFY**, to the correctness of the foregoing Ordinance which was duly enacted by the Sanggunian Panglungsod ng Naga, on the second reading on February xx, 2023, and was passed on the third and final reading on February xx, 2023 during the Regular Session held on xx days of February 2023.



HON. ANTONIO BELTRAN  
City Councilor

Attested:

HON. CECILIA VELUZ-DE ASIS  
City Vice Mayor

Approved:

HON. NELSON S. LEGACION  
City Mavor