
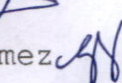




ORDINANCE NO. 2024-108
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AN ORDINANCE ADOPTING AND/OR LOCALIZING THE IMPLEMENTATION OF REPUBLIC ACT NO. 11861, ENTITLED "AN ACT PROVIDING FOR BENEFITS AND PRIVILEGES TO SOLO PARENTS AND THEIR CHILDREN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES:-

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Explanatory Note

Solo parents hold the primary responsibility of nurturing and guiding their families toward a better future. Amidst a myriad of challenges and financial difficulties, they navigate this journey alone, demonstrating resilience and determination in the face of adversity.

Furthermore, solo parents frequently face the challenge of juggling their professional responsibilities with their family duties. This requires exceptional skills in time management and organization, and solo parents approach these multitasking endeavors with unwavering dedication.

Moreover, the absence of a co-parent further implies that solo parents undertake the dual responsibilities of providing emotional support and instilling discipline to their children. In undertaking such responsibilities, solo parents not only shape the destinies of their families but also make substantial contributions to the society by nurturing individuals characterized by resilience, empathy, and resourcefulness.

Hence, the enactment of this Ordinance becomes highly imperative.

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, It 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

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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, It 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 by the Sangguniang Panlungsod ng Naga, in a session duly assembled that:

ARTICLE I
TITLE, POLICY, AND OBJECTIVE

Section 1. Title. - This local legislation shall be known as the "Expanded Solo Parents Ordinance of Naga City".

Section 2. Objective. - In line with the provisions stated in RA 11861, otherwise known as the Expanded Solo Parents' Welfare Act, the City of Naga adheres to the declared policy of the State, and shall therefore assist in every way possible the solo parents in the raising of their families and in providing their children a better future hoping that such efforts will contribute greatly to the continued development of a stronger and more productive community in Naga City.

ARTICLE II
DEFINITIONS

Section 3. Definition of Terms. - For the purpose of this Ordinance, the following terms shall mean:

3.1 "Act" - refers to R.A. No. 11861 or the "Expanded Solo Parents Welfare Act";

3.2 "Solo parent" - refers to an individual who falls under any of the following categories:

(a) individuals who are unmarried, separated, annulled, or widowed;

(b) any person solely providing parental care

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(c) and support to a child or children, provided they hold a valid foster parent license from the DSWD or are legally appointed guardians by the Court, or any family member assuming the role of head of the family due to the death, abandonment, disappearance, or prolonged absence of the parents or solo parent, provided such abandonment, disappearance, or absence lasts for at least one (1) year, and who has taken on the responsibility of parenthood alone;

(d) Women who have conceived due to rape and other crimes against chastity, even in the absence of a final conviction of the offender. It is stipulated that the mother, under these circumstances, chooses to keep and raise the child or children;

(e) Parent whose spouses are detained or physically or mentally incapacitated;

(f) A spouse, any family member, or a guardian of the child or children of an overseas Filipino worker [OFW], provided that the OFW belongs to a group of low/semi-skilled workers and has been away for an uninterrupted period of twelve (12) months;

(g) A pregnant woman who provides sole parental care and support to the unborn child or children.

3.3 "Children or dependents" - refers to those who live and are dependent upon the solo parent for support who are unmarried, unemployed, and twenty-two (22) years old and below or those 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 the purpose of availing the benefits stated under this Ordinance.

3.4 "Indigent" - any individual whose income falls below the poverty threshold.

3.5 "Parental care and support" - an act aimed at providing fundamental necessities, ensuring healthcare, safeguarding mental and physical well-being, offering emotional assistance, and contributing to the development of a child's overall well-being.

3.6 "SPIC" - refers to the Solo Parent Identification Card given to qualified solo parents.

3.7 "CSWDO" - refers to the City Social Welfare

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and Development Office of the City Government of Naga.

3.8 "DOLE" - refers to the Department of Labor and Employment.

**ARTICLE III
WELFARE SERVICES AND ADDITIONAL PRIVILEGES
AND BENEFITS**

Section 4. Adaptation of Welfare benefits. - Pursuant to this Ordinance, the City Government of Naga assumes the responsibility of extending welfare benefits stipulated in RA 11861 to indigent solo parents and their children.

a. Flexible Working Schedule. - The employer shall provide for a flexible work schedule for solo parent employees. Provided, that it will not affect the individual and company productivity. Provided further, that any employer may request exemption from the above requirements from the DOLE on certain creditable grounds.

b. Work Discrimination. - Discrimination against any solo parent employee with respect to employment terms and conditions on account of his/her status shall be prohibited. This prohibition applies regardless of whether the solo parent is employed in the private or public sector.

c. Parental Leave. - In addition to leave privileges under existing laws, solo parent employees, regardless of their employment status, who have worked for at least six (6) months, shall be entitled to a non-cumulative parental leave of up to seven (7) working days annually with pay. This benefit is available to solo parent employees in both the public and private sectors.

A solo parent household helper or *kasambahay* is also entitled to the seven-day parental leave. Provided, that they have rendered service of at least six (6) months to the same employer.

d. A ten percent (10%) discount and exemption from the value-added tax (VAT). - Solo parents are entitled to a ten percent (10%) discount and exemption from the value-added tax (VAT) on baby's basic necessities, such as milk, food, micronutrient supplements, and sanitary diapers purchased, duly prescribed medicines, vaccines, and other medical supplements purchased from birth of the child or children until six (6) years of age of a solo parent who is earning less than Two Hundred Fifty Thousand Pesos (P250,000.00) annually, subject to adjustment in accordance with the provisions on the exempt taxable income under the National

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Internal Revenue Code (NIRC), as amended by the Republic Act No. 10963, otherwise known as the "Tax Reform for Acceleration and Inclusion (TRAIN)";

e. Automatic coverage under the National Health Insurance Program (NHIP) being administered by the PhilHealth with premium contributions to be paid by the National Government; Provided, That the premium contribution of solo parents in the formal economy shall be shared equally by their employees and the National Government;

f. 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;

g. Prioritization and allocation in housing projects with liberal terms of payment on government low-cost housing projects in accordance with housing law provisions prioritizing applicants below the poverty line as declared by the Philippine Statistics Authority (PSA).

h. Social Safety Assistance. - In times of disasters, calamities, pandemics, and other health crises as declared by the Department of Health (DOH), solo parents and their children are eligible for social safety assistance, including basic necessities such as food, medicines, and financial aid for housing repairs. These provisions are subject to the guidelines set forth by the CSWDO.

Section 9. Additional Services, Privileges, and Benefits. - In addition to the welfare services, privileges, and benefits provided by the act, solo parents who are residents of the City shall be entitled to the following:

(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. The City Government shall allocate a portion of its budget to support the provision of subsidies to eligible solo parents pursuant to Section 15 (a) of RA 11861 and DILG MC 2023-140, 5.9.3.

Provided, further, that the solo parent under this Ordinance 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)

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may continue receiving senior citizen or PWD benefits without forfeiting the benefits under this Ordinance;

To avail the monthly cash subsidy, solo parents earning a minimum wage of Eight Thousand Six Hundred Ninety Pesos (P8,690.00) and below are required to submit the following:

- Solo Parent Identification Card (SPIC);
- An accomplished claim form;
- Social case study issued by the CSWDO;
- Affidavit of No Employment for unemployed Solo Parents;
- Income Tax Return (ITR) or similar returns;
- Any verifiable proof of income.

The City Social Welfare and Development Office (CSWDO) shall evaluate the submission and assess whether the claiming solo parent is eligible to the monthly subsidy. Further, the solo parent will be eligible to the subsidy one (1) year after the evaluation and approval of the membership.

(b) Livelihood Assistance - Solo parents shall have priority in the grant of livelihood assistance under any of the City's applicable programs or projects, subject to the qualification requirements under, existing ordinances, rules and regulations.

ARTICLE IV REGISTRATION AND AVAILMENT OF BENEFITS

SECTION 13. Registration. - The Solo Parent Unit herein created shall undertake a city-wide registration of all the solo parents and their children in the twenty-seven (27) barangays of the City for purposes of obtaining, among others, information on their names, ages, addresses, incomes including the sources thereof, number of children per solo parent, and the circumstances of being solo.

13.1 The categories and documentary requirements for the purpose of registration and issuance of ID.

(a) For the solo parent with child or children as a consequence of rape:

- i. Birth certificate/s of the child or children;
- ii. Complaint affidavit;
- iii. Medical record on the incident of rape; and
- iv. Sworn affidavit declaring that the solo parent has the sole parental care and support of the child or children at the time of the execution of the affidavit. Provided, that

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for the purposes of issuance of subsequent SPIC or booklet, only the sworn affidavit shall be submitted every year.

- v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.

(b) For the solo parent on account of the death of the spouse:

- i. Birth certificate/s of the child or children;
- ii. Marriage certificate;
- iii. Death certificate of the spouse; and
- iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has the sole parental care and support of the child or children; provided, that for the purpose issuance of subsequent SPIC or booklet, only the sworn affidavit shall be submitted every year.
- v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.

(c) For the solo parent on account of the detention or criminal conviction of the spouse:

- i. Birth certificate/s of the child or children;
- ii. Marriage certificate;
- iii. Certificate of detention or a certification that the spouse is serving sentence for at least three (3) months issued by the law enforcement agency having actual custody of the detained spouse, or commitment order issued by the court pursuant to a conviction of the spouse; and
- iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purposes of issuance of subsequent SPIC or booklet, requirements numbers (iii) and (iv) under this paragraph shall be submitted every year.
- v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.

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(d) For the solo parent on account of physical or mental incapacity of the spouse:

- i. Birth certificate/s of the child or children;
- ii. Marriage certificate or affidavit of cohabitation;
- iii. Medical record or medical abstract evidencing the physical or mental state of the incapacitated spouse issued not more than three (3) months before the submission; and
- iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purpose of issuance of subsequent SPIC or booklet, requirements numbers (iii) and (iv) under this paragraph shall be submitted every year.
- v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.

(e) For the solo parent on account of legal or de facto separation:

- i. Birth certificate/s of the child or children;
- ii. Marriage certificate;
- iii. Judicial decree of legal separation of the spouses or, in the case of de facto separation, an affidavit of two (2) disinterested persons attesting to the fact of separation of the spouses; and
- iv. Sworn affidavit declaring the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purpose of the issuance of subsequent SPIC or booklet, requirements numbers (iii) and (iv) under this paragraph shall be submitted every year.
- v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child is/are under the parental care and support.

(f) For the solo parent on account of declaration of nullity or annulment of marriage:

- i. Birth certificate/s of the child or children;
- ii. Marriage certificate;
- iii. Judicial decree of nullity of annulment of marriage or judicial recognition foreign

- divorce; and
- iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-partner, and has sole parental care and support of the child or children; Provided, that for the purpose of issuance of subsequent SPIC or booklet, shall be submitted every year.
 - v. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.
- (g) For the solo parent on account of abandonment by the spouse:
- i. Birth certificate/s of the child or children;
 - ii. Marriage certificate or affidavit of the applicant solo parent;
 - iii. Affidavit of two (2) disinterested persons attesting to the abandonment of the spouse;
 - iv. Police or Barangay record of the fact of abandonment; and
 - v. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purpose of issuance of subsequent SPIC or booklet, only the sworn affidavit shall be submitted every year.
 - vi. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay official attesting that the solo parent is resident of the barangay and that the child or children is/are under the parental care and support of the solo parent.
- (h) For the spouse or any family member of an OFW:
- i. Birth certificate/s of dependents;
 - ii. Marriage certificate of the applicant;
 - iii. Overseas Employment Certificate (OEC) or its equivalent document;
 - iv. Copy of passport stamps showing continues twelve (12) months of overseas work;
 - v. Employment contract; and
 - vi. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purpose of issuance of subsequent SPIC or booklet, requirement

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- numbers (iii), (iv), (v), and (vi) under this paragraph shall be submitted every year.
- vii. Affidavit of a barangay official attesting that the solo parent is/are under the parental care and support of the solo parent.
- (i) For the unmarried father or mother who keeps and rears the child or children:
- i. Birth certificate/s of the child or children;
 - ii. Certificate of No Marriage (CENOMAR);
 - iii. Affidavit of a barangay official attesting that the solo parent is a resident of the barangay and that the children are under the parental care and support of the applicant solo parent; and
 - iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provided, that for the purpose of issuance of subsequent SPIC or booklet, requirement numbers (ii), (iii), and (iv) under this paragraph shall be submitted every year.
- (j) For the solo parent who is a legal guardian, adoptive or foster parent:
- i. Birth certificate/s of the child or children;
 - ii. Proof of guardianship, foster care or adoption;
 - iii. Affidavit of barangay official attesting that the solo parent is a resident of the barangay and that the children are under the parental care and support of the applicant solo parent;
 - iv. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, and has sole parental care and support of the child or children; Provide, that for the purpose of issuance of subsequent SPIC or booklet, requirement numbers (iii) and (iv) under this paragraph shall be submitted every year.
- (k) For any relative within the fourth (4th) civil degree of consanguinity or affinity of the parent or legal guardian who assumes parental care and support of the child or children:
- i. Birth certificate/s of the child or children;
 - ii. Death certificate of the parents or legal guardian, or police or barangay records evidencing the fact of disappearance or

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- absence of the parent or legal guardian for at least six (6) months;
- iii. Affidavit of a barangay official attesting that the children are under the parental care and support of applicant; and
 - iv. Sworn affidavit declaring that the solo parent has sole parental care and support of the child or children; Provided, that the purpose of issuance of subsequent SPIC or booklet, requirement numbers (iii) and (iv) under this paragraph shall be submitted every year.

(1) For the solo parent who is pregnant woman:

- i. Medical record of her pregnancy;
- ii. Affidavit of barangay official attesting that the applicant solo parent is a resident of the barangay and that the applicant has no spouse; and
- iii. Sworn affidavit declaring that the solo parent is not cohabiting with a partner or co-parent, has sole parental care and support of the child or children.

Section 14. Issuance of ID. - The Solo Parent Office shall issue a SPIC, which is subject to annual revalidation within the first quarter of each year. Further, the CSWDO will affix a sticker after the evaluation to the back of the SPIC for verified solo parents for the current year.

SECTION 15. Availment of Benefits. - To avail the benefits under this Ordinance, the solo parent shall present his/her valid SPIC with the sticker indicating the year validated.

Section 16. Disqualification. - Change of civil status shall automatically result to disqualification from any of the entitlements under this Ordinance.

ARTICLE V
LIMITATION AND TERMINATION OF BENEFITS
OF A SOLO PARENT

Section 17. Limitation of the Benefits of a Solo Parent. - Only a solo parent who actively assumes the responsibilities of sole parental custody, care, and support for a child or dependent/s is eligible to avail of the benefits outlined in this Ordinance. It is emphasized that the absence of a valid and legal marriage between a mother and a father of a child or dependent/s does not automatically grant entitlement to the benefits under this Ordinance. The eligibility is contingent on the factual circumstances demonstrating that the parental custody,

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care, and support are solely undertaken by the claiming individual, whether it be the mother or the father.

Section 18. Termination of the Benefits of a Solo Parent. - If an individual who qualifies as a solo parent under the terms of this Ordinance undergoes a change in status or circumstances leading to the cessation of their solo parent status, they shall no longer be eligible to avail themselves of the benefits in this Ordinance.

**ARTICLE VI
APPROPRIATION AND FINAL PROVISIONS**

Section 19. Duties and Responsibilities of the Barangays in Naga City.

- (a) 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.
- (b) Assist the LGU of Naga in identifying and informing beneficiaries of the law as well as the implementation of its new provisions.

Section 20. Source of Funds. - The amount necessary to carry out the provisions under this Ordinance shall be included in the general fund of the City Government or in any supplemental sources of funds subject to availability, thereof, and to existing accounting and auditing rules and regulations.

Section 21. Declaration of Intent to Conform with Law.
- This Ordinance is subject to national laws, rules, and regulations governing its subject matter.

Section 22. Penal Provisions. - Any violations of the provisions of this Ordinance, after due notice and hearing, shall suffer the corresponding penalties as stated in RA 11861.

Section 23. Applicability Clause. - All matters relating to impositions of this Ordinance shall be governed by provisions of existing laws and other ordinances.

Section 24. 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 25. Repealing Clause. - All ordinances, rules, and regulations, as part thereof, in conflict with or

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inconsistent with any provision of this Ordinance, are hereby repealed or modified accordingly.

Section 26. Effectivity Clause. - This Ordinance shall take effect after its approval.

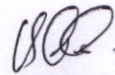
ENACTED: September 17, 2024.

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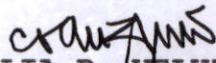
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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

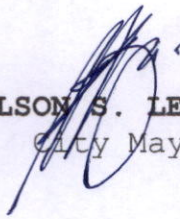


GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod



CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer

APPROVED:



NELSON S. LEGACION
City Mayor 9/25/24