

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



'16 FEB -2 P 6 21

SENATE
S. No. 3216

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
PROMOTING AND SUPPORTING BREASTFEEDING AS AN ESSENTIAL
COMPONENT OF RESPONSIBLE PARENTHOOD

EXPLANATORY NOTE

The Constitution provides:

Article 2, Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

Article 15, Section 1. The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

According to UNICEF, more than one third of child deaths occur during the first fragile months of life. Early breastfeeding provides critical nutrients, protects infants against deadly diseases, and fosters growth and development.

UNICEF estimates that exclusive breastfeeding from birth up to the age of six months can prevent the deaths of 1.3 million children under the age of five each year. The UN World Health Organization (WHO) recommends that all children be exclusively breastfed for six months, and believes colostrum - the sticky, yellowish substance that is rich in antibodies and produced by the mother soon after birth - is the perfect food for every newborn. However, due to a widespread lack of awareness of its qualities and its key roles in contributing to the health and growth of newborns, colostrum is frequently discarded. According to the agency, feeding water or other liquids deprives babies of a good start in life.

This bill seeks to promote awareness on breastfeeding amongst couples seeking to get married by mandating that all applicants for a marriage license receive instructions and information on breastfeeding and infant nutrition.

This is the Senate counterpart bill to House Bill No. 3088 filed by Representative Anna York P. Bondoc, MD.¹


MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Fifteenth Congress, First Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Family Support for
2 Breastfeeding Act.”

3 SECTION 2. *Declaration of Principles and State Policies.* – The State shall
4 protect and promote the right to health of the people and instill health consciousness
5 among them. The State likewise recognizes the sanctity of family as a basic autonomous
6 social institution.

7 The State upholds that preparation for responsible parenthood should start even
8 prior to the celebration of marriage so as to allow prospective husband and wife ample
9 time to consider their options and priorities. Towards this end, a comprehensive and
10 effective responsible parenthood program should also include promotion of breastfeeding
11 and proper infant nutrition as an inherent component of each child’s right to enjoy, and
12 each parent’s responsibility to provide, the highest attainable standard of health.

13 SECTION 3. *Mandate.* – The Office of Family Planning in every city and
14 municipality is hereby mandated to give instructions and information not only pertaining
15 to family planning and responsible parenthood but also to breastfeeding and infant
16 nutrition.

1 The city or municipal health officer shall continue to be assisted by the city or
2 rural health nurse, members of the city or rural health unit, and such other personnel from
3 different agencies of the government involved in efforts towards promotion of
4 responsible parenthood.

5 **SECTION 4. *Certificate of Compliance.*** – Pursuant to Section 3 of Presidential
6 Decree 22 No. 965, no marriage license shall be issued by the Local Civil Registrar
7 unless the applicants present a certificate of compliance issued by a family planning
8 officer certifying that they had duly received comprehensive instructions and information
9 on family planning, responsible parenthood, breastfeeding, and infant nutrition.

10 The instructions and information shall be given, and the certificate of compliance
11 shall be issued, free of charge.

12 **SECTION 5. *Assistance of Government Agencies.*** – Agencies of the government
13 shall assist the Family Planning Offices in order to further promote and support family
14 planning and responsible parenthood. Towards this end, the Department of Health, the
15 Department of Social Welfare and Development and the Population Commission shall
16 furnish each Family Planning Office with the proper information and resources on current
17 studies and research related to family planning, responsible parenthood, breastfeeding,
18 and infant nutrition.

19 **SECTION 6. *Assistance from the Private Sector.*** – The Family Planning Office
20 may request volunteer doctors, nurses, or duly-licensed health professionals or health
21 care workers to assist in giving the instructions and information mandated by this Act.
22 Provided, that in no event shall anyone promote, endorse, market, or do any act tending
23 to promote or endorse any commercially-produced and/or commercially-sold product or
24 any paid medical, health, or wellness service.

1 **SECTION 7. *Separability Clause.*** – If any provision of this Act is held invalid or
2 unconstitutional, the same shall not affect the validity and effectivity of the other
3 provisions hereof.

4 **SECTION 8. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or
5 portions thereof, which are inconsistent with the provisions of this Act, are hereby
6 repealed, amended or modified accordingly.

7 **SECTION 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/lml7Jan2016