

September 02, 2019

Honorable RISA HONTIVEROS

Chairperson

Committee on Women, Children, Family Relations and Gender Equality

Senate of the Philippines

GSIS Bldg., Financial Center, Diokno Blvd.

Pasay City

Dear **Senator Hontiveros**:

This refers to Senate Bill No. 61 entitled: *"An Act Codifying the Alternative Child Care Laws, Reorganizing the Intercountry Adoption Board into the National Authority for Child Care, and Providing Funds Therefor"* or the *"Alternative Child Care Code of the Philippines"* introduced by Senator Pia S. Cayetano.

The Department of Social Welfare and Development (DSWD) supports the codification of alternative child care laws because it will hasten the alternative child care process, **however, we have strong reservation** on the reorganization of the Inter-Country Adoption Board (ICAB) to become the National Authority for Child Care (NACC), and the transfer of functions of the DSWD on alternative child care to the NACC.

DSWD's official Position Paper on the proposed measure during the 17th Congress called for deeper consultations with other agencies on this matter and have underlined that **DSWD is the most competent authority in all matters pertaining to the provision of alternative care to children through effective case management**. As such, we believe there is no need for the creation of a separate entity to implement relevant laws on alternative child care. Rather than creating a totally separate agency, we propose the **consolidation of structures to have DSWD as its nexus** and to **retain the implementation of alternative child care and placement programs/services under the Department**.

In line with this, we are reiterating the following comments:

1. **A new Bureau in the Department be created** instead of creating the NACC, to efficiently implement alternative child care. This is also in line with the proposed **"Right Sizing the National Government"** to improve public service delivery by simplifying and rationalizing its systems and processes as well as avoiding overlaps, duplications, and redundancies of mandates and functions.
2. The transfer of all functions of the Department on alternative child care to the NACC would repeal existing laws, such as Republic Act No. 9523 or *"An Act Requiring the Certification of the Department of Social Welfare to Declare a Child Legally Available for Adoption"* and modifying or amending certain provisions of RA 8552 or *"Domestic Adoption Act of 1998"*, RA 8043 or the

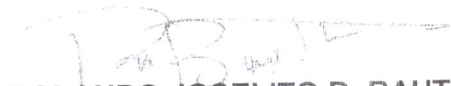
1

"Inter-Country Adoption Act of 1995", Presidential Decree No. 603 or "The Child and Youth Welfare Code", and RA 11222 or the "Simulated Birth Rectification Act".

3. The "**family-like care**" as a form of alternative child care as presented in this bill is not a form of alternative child care aside from the fact that it does not promote the best interest of the child.

Further, we are advocating the immediate passage of the proposed "**Domestic Administrative Adoption Bill**", which is one of the Department's Priority Legislations for the 18th Congress. The proposed measure seeks to provide for and allow a simpler and inexpensive domestic administrative adoption proceedings. Likewise, the advocacy for its immediate passage is in relation to the implementation of RA 11222, which was approved by President Rodrigo Roa Duterte on February 21, 2019.

Very truly yours,



ROLANDO JOSELITO D. BAUTISTA

Secretary

Date: _____