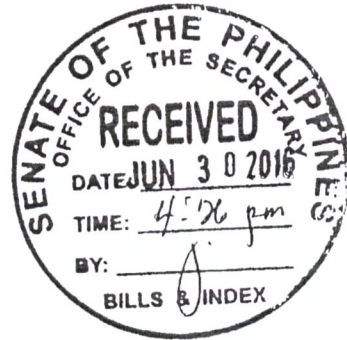


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S.B. No. 123

Introduced by Sen. Juan Miguel F. Zubiri

AN ACT
PROVIDING FOR FREE MEALS FOR STUDENTS OF THE PUBLIC EDUCATION SYSTEM PARTICULARLY SCHOOLCHILDREN FROM KINDERGARTEN TO JUNIOR HIGH SCHOOL, FOLLOWING THE K-12 POLICY, PROVIDING FRAMEWORK FOR ITS IMPLEMENTATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

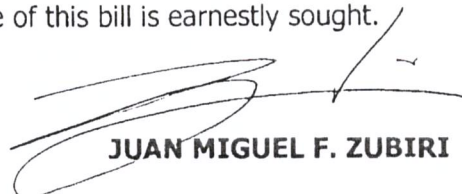
EXPLANATORY NOTE

A news article¹ reveal that undernutrition remains to be a public health problem among students across ages. In fact, a lot of impoverished children go to school on an empty stomach while those who can afford to buy food feed on junk snacks that are low in nutritional value. Unicef² says that even short-term hunger can adversely affect a child's ability to learn, while micronutrient deficiencies impair children's cognitive and motor skills and even their Intelligence Quotient.

Despite the government's efforts to combat hunger, the 2012-2013 figures from the Department of Education show that more than half a million Filipino schoolchildren are severely, underweight and that their height and weight do not corresponds to their age requirement. Imagine having underweight and stunted students as future leaders.

Recognizing the vital role of our youth in nation-building, as enshrined in the 1987 Constitution, the **National School Meal Program Act** provides legislation for the operation of the school meal program as permanent and essential part of our public education system. This proposed measure seeks to address undernutrition, malnutrition, and hunger among school children in our public education system by providing free meals to students from Kindergarten to Junior High School, following the K-12 Policy, and encourage the consumption of nutritious agricultural commodities and other food.

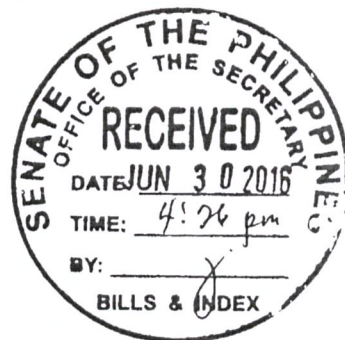
In view of the foregoing, early passage of this bill is earnestly sought.


JUAN MIGUEL F. ZUBIRI

¹ rappler.com, 1 September 2015

² unicef.org, Child-Friendly Schools Manual

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

SECTION 1. Short title. - This Act shall be known as the "National School Meal Program Act of 2016".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to promote a just and dynamic social order that will ensure the prosperity of the nation and free the people from poverty through policies that provide adequate social services and an improved quality of life for all. Towards this end, the State shall institute programs to address malnutrition and hunger among school children in our public education system by providing free meals to students from Kindergarten to Junior High School, following the K-12 Policy, and encourage the consumption of nutritious agricultural commodities and other food for the establishment, maintenance, operation and expansion of the National School Lunch program.

SEC. 3. Definition of Terms. -

1. School meal program - shall refer to the free meal to be served by public schools to their students every school day;
2. Commission - commission to be constituted by the DepEd for the implementation of the provisions of this Act.
3. Public kindergarten, elementary and junior high schools - shall refer to all public kindergarten, elementary and junior high schools accredited by the DepEd.

SEC. 4. School lunch program. - Every public school throughout the country shall be entitled to apply for funds to be utilized for school lunch program as provided for under this Act.

SEC 5. Guidelines. -

A. Commission

1. In General - The Department of Education (DepEd) shall constitute a Commission to formulate and improve lunch for students of public elementary and junior high schools, hereinafter referred to as the "Commission";

2. Membership - The DepEd shall appoint members of the Commission from the Department of Education (DepEd), the Department of Social Welfare and Development (DSWD), the Department of Agriculture (DA), the National Nutrition Council (NNC), the Food and Nutrition Research Institute (FNRI) and the Department of Health (DOH).

3. Duties - The Commission shall—

a. review available dietary guidelines that are relevant for children;

b. evaluate the nutritional and dietary needs of school-age children and recommend nutritional standards for establishing a healthy school nutrition program;

c. develop and prescribe nutritional standards for the school lunch program under this Act;

d. evaluate compliance with and enforcement of the minimum nutritional requirements established under subparagraph (c);

e. promulgate and implement rules, not later than 90 days after nutritional standards are developed under subparagraph (c), based on the standards, that establish minimum nutritional requirements for food served under the meals programs for students of public elementary and junior high schools as provided for under this Act not later than 90 days after the date of enactment this Act.

B. School Nutrition Programs

1. In General – The Commission shall carry out a program under which the Commission shall provide funds to public elementary and junior high schools for the school lunch program under this Act;

2. Uses - Funds provided under this subsection may be used :

a. to provide healthy and nutritious food in the lunch served under said program;

b. to teach our students nutrition education, which aims to promote an integrated approach to health and nutrition education of our elementary and junior high school students.

c. to carry out garden to kitchen or seed to table programs; or

d. to provide professional development for teachers to carry out programs that promote healthy alternatives for students;

C. Study Report

1. Study - During the first year of the implementation of this Act, in which funds are used by schools, the Commission shall conduct a study of the results of the school lunch program;

2. Report - Not later than 90 days after the date on which the study is completed under subparagraph (1) above, the Commission shall submit to the DepEd a report that describes the results of the study.

SEC. 6. Eligibility of Schools. - Only public elementary and junior high schools shall be entitled to the school meals program as provided for under this Act.

SEC. 7. Application - An eligible school desiring the grant of funds for the implementation of the school lunch program under this Act shall submit the application for the same at such time, in such manner, and containing such information as the Commission may require.

SEC. 8. Appropriation - The amount of Ten Billion pesos (Php 10,000,000,000.00) is hereby appropriated for the implementation of this Act and shall be sourced from the proceeds of Philippine Charity Sweepstakes Office (PCSO). Initially, a substantial portion shall be sourced from the Social Fund of the Office of the President.

The funds shall be administered by the Commission.

Thereafter, such sum necessary for its continuous implementation shall be included in the annual General Appropriations Act.

All expenditures, disbursement of funds and other activities made under the program shall be subject to existing government auditing and accounting rules and regulations.

SEC. 9. Implementing Rules and Regulations - The Commission shall promulgate the necessary rules and regulations implementing the provisions of this measure, within ninety (90) days from the effectivity of this Act. Each of the member national government agencies and instrumentalities shall likewise promulgate the necessary internal memoranda, circulars and other issuances to institutionalize the program within their respective offices, not later than the date to be determined by the Commission.

SEC. 10. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 11. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SEC. 12. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,