



**Republic of the Philippines**  
**Department of Social Welfare and Development**

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**Senator RISA HONTIVEROS**

Chairperson  
Committee on Women, Children,  
Family Relations and Gender Equality  
Senate of the Philippines  
Pasay City

Dear **Chairperson Hontiveros:**

The Department of Social Welfare and Development supports Senate Bill Nos. 56 and 194 filed by Senators Francis N. Pangilinan and Emmanuel D. Pacquiao which expand maternity leave benefits for women workers in accordance with international labor standards.

To contribute to the bills' enhancement, may we recommend the following:

1. Consolidation of the bills into one.
2. Review the existing maternity benefit packages which only permit four (4) deliveries or miscarriages. It should be noted that some women have a hard time conceiving and carrying their babies to full term and by the time they become successful, they can no longer enjoy their maternity benefits.
3. The need to assert the entitlement of adoptive parents to maternity leave as provided under Republic Act No. 8552 or the Domestic Adoption Act of 1998, particularly the last part of Section 12 on Supervised Trial Custody, which states that "If the child is below seven (7) years of age and is placed with the prospective adopter(s) through a pre-adoption placement authority issued by the Department, the prospective adopter(s) shall enjoy all the benefits to which biological parent(s) is entitled from the date the adoptee is placed with the prospective adopter(s)."

This was clarified by Section 34 of the law's Implementing Rules and Regulations by stating that "Maternity and paternity benefits and other benefits given to biological parents upon the birth of a child shall be enjoyed if the adoptee is below seven (7) years of age as of the date the child is placed with the adoptive parents thru the Pre-Adoptive Placement Authority issued by the Department."

Considering that most of the provisions of the bills make reference to pregnant female, those who gave birth or suffered miscarriage, there is a need to particularly state the qualification of adoptive parents to avail of maternity and paternity benefits that will avoid future confusion or consequently, possible denial of rights of adoptive parents.

Thank you.

Very truly yours,

  
JUDY M. TAGUIWALO  
Secretary