

[REPUBLIC ACT NO. 11291, April 12, 2019]

AN ACT PROVIDING FOR A MAGNA CARTA OF THE POOR

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

SECTION I. *Title.* - This Act shall be known as the "Magna Carta of the Poor".

SEC. 2. *Declaration of Policy.* — It is the declared policy of the State to uplift the standard of living and quality of life of the poor and provide them with sustained opportunities for growth and development, it shall adopt an area-based, sectoral, and focused intervention to poverty alleviation where every poor Filipino must be empowered to meet the minimum basic needs through the partnership of the government and the basic sectors.

It is likewise vital that the State complies with its international obligations to end poverty in all its forms, ensure and promote the health and well-being of all.

To attain the foregoing policy:

- (a) Investments in anti-poverty programs to enable the poor to fully participate in the country's growth and development shall be among the top priorities of the State;
- (b) Full access to government services shall be provided to the poor by departments, agencies and instrumentalities of the government;
- (c) Interventions to address the genuine concerns of the poor will be strengthened, and long-term strategies and solutions for the empowerment of the poor will be institutionalized; and
- (d) Enhancement and promotion of capabilities and competencies of the basic sectors, the nongovernment organizations (NGOs), the people's organizations (POs), and other development, partners for the effective delivery and implementation of a wide range of anti-poverty programs and basic services through government strategies and collaboration with development partners.

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms are hereby defined;

- (a) *Basic Sectors* shall refer to the disadvantaged sectors of Philippine society including farmer-peasants, fisherfolk, workers in the formal sector including migrant workers, workers in the informal sector, indigenous peoples and cultural communities, women, persons with disability, senior citizens, victims of calamities/natural and human-induced disasters, youth and students, children, urban poor and members of cooperatives;
- (b) *Development Partners* shall refer to NGOs, POs and private organizations and corporations that are engaged in programs and activities aimed at alleviating the condition of the poor;

(c) *Hazardous/Danger Zones* shall refer to areas which, when occupied for residential or business purposes, pose a danger to the life and safety of the occupants or of the general public;

(d) *Nongovernment Organizations (NGOs)* shall refer to duly registered nonstock, nonprofit organizations focusing on the upliftment of the basic sectors of society by providing advocacy, training, community organizing, research, access to resources, protection of the environment and conservation of natural resources and other similar activities;

(e) *People's Organizations (POs)* shall refer to self-help groups belonging to the basic sectors composed of members having a common bond of interest, who voluntarily join together to achieve a lawful common social or economic end;

(f) *Poor* shall refer to individuals or families whose income falls below the poverty threshold as defined by the National Economic and Development Authority (NEDA) and/or who cannot, afford in a sustained manner to provide their minimum basic needs of food, health, education, housing, or other essential amenities of life, as defined under Republic Act No. 8425, otherwise known as the "Social Reform and Poverty Alleviation Act". In determining who constitute the poor, the Multidimensional Poverty Index determined by the Philippine Statistics Authority (PSA); shall be considered;

(g) *National Poverty Reduction Plan* shall refer to the aggregation and consolidation of sectoral and local plans through a bottom-Up approach, from the Local Poverty Reduction Action Plan towards the formulation of the national plan; and

(h) *Progressive Realization* shall refer to a process of implementation which will be paced according to the availability of funds and which adjusts to the exigencies of the times.

SEC. 4. *Scope of the Fundamental Rights of the Poor.* - The government shall establish a system of progressive realization or implementation to provide the requirements, conditions and opportunities for the full enjoyment or realization of the following rights of the poor, which are essential requirements towards poverty alleviation;

(a) Right to Adequate Food is the right, of individuals or families to have physical and economic access to adequate and healthy food, or the means to procure it. The Department of Social Welfare and Development (DSWD), the Department of Agriculture (DA), and other implementing agencies concerned shall:

(1) Undertake necessary actions to mitigate and alleviate hunger especially in times of calamities/natural and human-induced disasters;

(2) Fully implement and maintain supplementary feeding programs in day care centers and schools;

(3) Ensure the availability, accessibility and sustainability of food supplies in a quantity and quality sufficient to meet the dietary needs of poor individuals and families; and

(4) Proactively engage the poor in activities intended to promote their food self-sufficiency and strengthen their access to resources and means to ensure food security.

(b) Right to Decent Work is the right to the opportunity to obtain decent and productive employment, in conditions of freedom, equity, gender equality, security, and human dignity.

The Department of Labor and Employment (DOLE) and other implementing agencies concerned shall:

(1) Ensure that the poor shall have access to information regarding employment openings in private enterprises and in government programs and projects especially regarding available employment opportunities for families displaced by calamities/natural and human-induced disasters or relocated from hazardous/danger zones;

(2) Ensure the compliance of private contractors and subcontractors doing national and local public work projects, funded by either the national government or any local government unit (LGU), to fill in thirty percent (30%) of the skilled labor requirements by qualified workers who come from the poor sector and who are residents of the LGUs where these projects are undertaken: *Provided*, That where the number of available resources is less than the required percentage provided therein, said requirements shall be based on the maximum number of locally available labor resources and shall be certified by the municipal, city, provincial or district engineer as sufficient compliance with the labor requirements under this Act;

(3) Promote livelihood among the poor where implementing agencies shall provide technical and administrative support to help the poor establish their livelihood enterprise;

(4) Ensure compliance with core labor standards, address the job and skills mismatch, and enhance human capital through education and training; and

(5) Provide an environment for more inclusive tripartism to achieve more broad-based representation of interests and make decision-making highly participatory through social dialogue at the firm and industry levels.

(c) Right to Relevant and Quality Education is the right to attain the MI development of the human person. The Department of Education (DepEd), the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA), in coordination with development partners concerned, shall;

(1) Maintain a system of free public education in the kindergarten, elementary and high school levels;

(2) Make higher education accessible to all poor individuals and families. They shall expand the programs of providing free or socialized college education to the poor, including student loans or study-now-pay-later plans, in state/local universities and colleges, which may be made subject to reasonable academic requirements: and

(3) Ensure access to quality technical-vocational education and training through scholarships, subsidies and financial assistance to ensure access to decent and productive employment, subject, to compliance to qualification requirements.

(d) Right to Adequate Housing is the right to have a decent, affordable, safe and culturally appropriate place to live in, with dignity, security of tenure in accordance with Republic Act No. 7279, otherwise known, as the "Urban Development and Housing Act of 1992", in peace, with access to basic-services, facilities, and livelihood. The Housing and Urban Development Coordinating Council (HUDCC) and other implementing agencies concerned shall:

(1) Prioritize the implementation of the socialized housing program with identified appropriate subsidies;

(2) Immediately construct and provide housing facilities for families living in identified hazardous/danger zones, and on areas affected by disasters/calamities where the housing needs of the poor are urgent;