

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY 2
Cotabato City

First Regular Session

BTA PARLIAMENT
BTA Parliament Bill No. 153

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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Name: BAHAR, RAHMA YAHYAS Signature: [Signature]
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Introduced by

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AN ACT

INSTITUTING A BANGSAMORO FREE LUNCH PROGRAM TO ALL KINDERGARTEN AND ELEMENTARY STUDENTS ENROLLED IN ALL PUBLIC SCHOOLS IN THE BANGSAMORO AUTONOMOUS REGION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES¹

Explanatory Note

Article 2, Section 15 of the 1987 Constitution provides that, the State shall protect and promote the right to health of the people and instill health consciousness among them. The same was reiterated in Section 2, Article IX of R.A. 11054 or the Bangsamoro Organic Law (BOL), which also states that the Bangsamoro Government shall protect and promote the right to health of the people and instill health consciousness among them. Albeit in further detail, the article also states that the Government shall also uphold the peoples' right to have access to essential goods health, and other social services that promote their well-being. Essentially, both articles are paramount in emphasizing the importance given to health, and the state's responsibility of its promotion, and ensure the public's access to it.

¹ This bill was inspired from the entry of Abdul Nasser S. Alimoda II, Fatima Ayesha U. Jailani, Shariful S. Mansul and Najwa I. Unga in the Office of MP Ampatuan and MP Mitmug's Online Bill and Resolution Drafting Contest entitled "An Act Providing Free Lunch For Elementary Students in Public Schools and Universities".

Despite continued economic progress, malnutrition persists in the Philippines. The World Health Organization (WHO) defines malnutrition as “deficiencies or excesses in nutrient intake, imbalance of essential nutrients or impaired nutrient utilization”², which “addresses three broad groups of conditions: (1) undernutrition, which includes wasting (low weight-for-height), stunting (low height-for-age), and underweight (low weight-for-age); (2) micronutrient-related malnutrition, which includes micronutrient deficiencies (a lack of important vitamins and minerals) or micronutrient excess; and (3) overweight, obesity, and diet-related noncommunicable diseases (such as heart disease, stroke, diabetes and some cancers)”³.

In the Philippine context, the United Nations Children’s Fund claims that 95 Filipino children die from malnutrition every day.⁴ The WHO also finds that “despite substantial economic growth, the prevalence of wasting in the Philippines consistently increased from 2003-2013”⁵. A relatively more recent study by the World Bank supports these findings: micronutrient undernutrition is highly prevalent in the country and, in 2019, one in three (29%) children under the age of five is stunted.⁶ According to the same institution, poverty is one of the main causes of undernutrition, with almost half (42.4%) of stunted children coming from poor households. Ultimately, malnutrition continues to afflict Filipino children.

There are regional variations for malnutrition. The World Bank in the aforementioned study states that the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) has the highest rate of stunting in the country: one in two (45%) children below five is stunted. The United Nations Children’s Fund corroborates this finding.⁷ According to the organization, one in two children in the region is malnourished. It also asserts that “Severe Acute Malnutrition (SAM) is a serious child health problem especially in the BARMM where remoteness and poverty make access to basic health and nutrition services difficult”. Lastly, the institution contends that the “COVID-19 pandemic has made the situation worse, as children miss out on health and nutrition services due to severely limited outreach to remote barangays, made even further difficult by restrictions on movement within the region. Strict community quarantines have led to job loss and less income for already poverty-stricken families”. Thus, Bangsamoro children are particularly vulnerable to malnutrition.

² From *Malnutrition*, World Health Organization, n.d., <https://www.who.int/health-topics/malnutrition>.

³ From *Malnutrition*, World Health Organization, 2021, <https://www.who.int/news-room/fact-sheets/detail/malnutrition>.

⁴ From *Child survival*, UNICEF Philippines, n.d., <https://www.unicef.org/philippines/child-survival>

⁵ From *Management of SAM in the Philippines: from emergency-focused modelling to national policy and government scale-up*, Garg, A., Calibo, A. P., Galera, R., Bucu, A., Paje, R., Zeck, W., & Paje, R., 2016, <https://www.unicef.org/philippines/media/441/file/Management%20of%20Severe%20Acute%20Malnutrition%20in%20the%20Philippines.pdf>.

⁶ From *Undernutrition in the Philippines: Scale, scope, and opportunities for nutrition policy and programming*, Mbuya, N. V. N., Demombynes, G., Piza, S. F. A., & Adona, A. J. V., 2021, The World Bank.

⁷ From *Working together to end severe malnutrition in Bangsamoro children*, UNICEF Philippines, 2021, <https://www.unicef.org/philippines/stories/working-together-end-severe-malnutrition-bangsamoro-children>.

Health and education are directly proportional and interrelated. The academic performance of a student relies heavily on their quality of health. Students who are sick cannot fully develop their potential, which hinders their capacity to learn at school. Improving the health condition of the students is correlational to improving their learning capacity, and as an effect, will significantly improve their academic performance. If the problem on malnutrition and hunger is addressed, then the learning capacities of the students can be maximized.

According to the World Bank, “a Filipino child with optimal nutrition will have greater cognitive development, be willing to stay in school longer, learn more in school, and have a brighter future as an adult, while undernutrition robs other children of their chance to succeed”⁸. The impact of malnutrition on education cannot be overstated in the context of the Bangsamoro, as according to the 2019 Functional Literacy, Education, Mass Media Survey of the Philippine Statistics Authority, the BARMM has the lowest rate of functional literacy (71.6%) in the country.⁹

Given the twin problems of high malnutrition and low literacy, it is imperative for the Bangsamoro Government to create a free lunch program for kindergarten and elementary students in public schools in the Bangsamoro region through a close partnership between the Ministry of Basic, Higher and Technical Education (MBHTE) and the Ministry of Health (MoH).

The free lunch program, as proposed in this measure, envisions to serve as a protection mechanism for the underprivileged students who by reason of economic conditions in their family, are deprived of proper and nutritious food elements required for their optimum development. This shall reduce the burden of families of sending their children to school, while maximizing the abilities of the students to learn

In view of the foregoing, the approval of this measure is earnestly sought.



ENGR. BAIN TAN ADIL-AMPATUAN, MNSA



MP ATTY. RASOL Y. MITMUG, JR.

⁸ See Footnote 5.

⁹ Adapted from *FLEMMS 2019: Functional Literacy, Education and Mass Media Survey*, Philippine Statistics Authority, 2021, https://psa.gov.ph/sites/default/files/2019-FLEMMS-Final-Report_Signed_FULL%20VERSION_15%20January%202021rev.pdf.

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Name: RAFAY RAHMANANS Signature: [Signature]
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Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:

Section 1. Title. – This Act shall be known as the “*Bangsamoro Free Lunch Act of 2023*”.

Section 2. Declaration of Policy. – It is the declared policy of the Bangsamoro Government to protect and promote the right to health of the people and instill health consciousness among them. It shall also uphold the peoples’ right to have access to essential goods, health, and other social services that promote their well-being. Towards this end, the Bangsamoro Government shall address the issue of malnutrition among the students by enacting measures that will ensure their well-being through the implementation of programs that will promote just and dynamic social services and ensure a quality of life for all students.

Section 3. Bangsamoro Free Lunch Program. – There shall hereby be the institutionalization of a Bangsamoro Free Lunch program, herein referred to as ‘*The Program*’ in all kindergarten and elementary students enrolled in all public schools. It

shall be the central and streamlined approach to provide free supplementary meals to all students.

The Program is a nutrition-driven initiative that shall provide lunch for free to all students enrolled in public schools. It shall commence upon the official opening of classes. The free lunch shall be served five (5) days a week, effective for the entire duration of the school year.

Provided, that the schools located in the following areas shall be accorded prioritization in the implementation of this Act:

- a) Those with reported severe malnutrition;
- b) Those located in armed conflict; and
- c) Those located in highly congested areas.

Section 4. Objectives. - The Program shall pursue the following objectives:

- a) Ensure that a proper, age-appropriate and healthy program is accessible to all students;
- b) Enhance physical, social, cognitive, psychological, emotional development of children as well as support their development;
- c) Mitigate malnourishment in order to support the students in their learning process in school; and
- d) Serve as a protection mechanism for the underprivileged students who by reason of economic conditions in their family, are deprived of proper and nutritious food elements required for their optimum development.

Section 5. Bangsamoro Free Lunch Council. - There is hereby created a Bangsamoro Free Lunch Council (BFLC), a body that will supervise the implementation of the Program. The BFLC shall be composed of:

- a) Minister of Basic, Higher and Technical Education as Chair;
- b) Minister of Health as Co-Chair;
- c) Minister of Social Services and Development as Member;
- d) Minister of Agriculture as Member; and
- e) Minister of Interior and Local Government as Member.

The BFLC shall create a framework that will serve as the blueprint in the implementation of the Program. It will contain, among others, the integrated package of nutrition services, development of a data base of information and all other crucial details for the successful implementation of the Program.

Section 6. Implementation and Coordination. - The Ministry of Basic, Higher, and Technical Education (MBHTE) shall have the primary responsibility in the administration and implementation of the Program. To ensure the successful

implementation of the Program, the following ministries shall also be responsible of the following tasks:

- a) The Ministry of Health (MOH) shall ensure that the standard lunch meal meets the required nutritional level for the students;
- b) The Ministry of Social Services and Development (MSSD) shall support the MBHTE in ensuring the availability of data on underprivileged households. It shall identify the priority areas in the provinces, cities and municipalities where malnutrition rates are most severe based on the results of National Home Targeting System (NHTS);
- c) The Ministry of Agriculture, Fisheries and Agrarian Reform (MAFAR) shall identify farmers, farmer's organization or in the localities who can supply good quality poultry products, fresh fruits, grains, vegetables and other healthy food ingredients; and
- d) The Ministry of Interior and Local Government (MILG) shall encourage the support of the local government units (LGU) as partners of the MBHTE in the implementation of the Program;

Section 7. Nutritional Standards of the Free Lunch Program. – All schools shall serve lunches that are consistent with recommended daily allowances provided by the Ministry of Health, in line with the dietary guidelines, and in consideration of the nutritional needs of children.

Section 8. School Lunch Committee. – There is hereby created a School Lunch Committee in each public school and herein referred to as the 'Committee'. It shall be responsible in the execution of the Program in their respective school.

The Committee shall be composed of the following:

- a) School Principal;
- b) the School Health Officer; and
- c) Class advisers of the school;

Section 9. Duties of the members of the Committee. – The duties and responsibilities of each member of the Committee are as follows:

- a) *Principal* - The principal shall act as the presiding officer of the meetings held by the Committee. He/she shall monitor and oversee the day-to-day operation of the Program and shall report to the Council the fulfillment of the Program.
- b) *Health Officer* - The health officer shall advise the Committee on matters of health and nutrition of the students.

- c) *Class Advisers* - The class advisers shall provide the committee with accurate information about the eating habits, food restrictions (including allergies), and preferences of the students in the planning, implementation, and assessment of the lunch program.

Section 10. Annual Report to the Parliament. - The Council shall submit a report to the Parliament within one year from the implementation of this Act, and every year thereafter, on the progress of the program.

Section 11. Coverage of the Program. - This Act shall cover all the public schools operating within the Bangsamoro Region. Every eligible student currently enrolled in the school shall be eligible to one (1) free lunch meal provided by the Bangsamoro Government on every school day where students are required to attend to school.

Public schools shall refer to primary and secondary educational institutions established and administered by the government as defined in Section 26 of B.P. 232. All other schools are private schools.

Section 12. Implementing Rules and Regulation. - Within sixty (60) days from the promulgation of this Act, the necessary rules and regulations for the proper implementation of its provision shall be formulated by the Ministry of Basic, Higher, and Technical Education (MBHTE).

Section 13. Appropriations. - The funds necessary for the institution of the Bangsamoro Free Lunch Act shall be included in the annual General Appropriations of the Bangsamoro submitted to the Parliament for its approval.

Section 14. Separability Clause. - If for any cause, any part of this Act is declared unconstitutional or contrary to the provisions of the Bangsamoro Organic Law, the rest of the provisions shall remain in force and effect.

Section 15. Repealing Clause. - All laws, orders, rules, and regulations which are inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended accordingly.

Section 16. Effectivity. - This Act shall take effect after fifteen (15) days following its complete publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in Muslim Mindanao.

Adopted,


MP ENGR. BAJANTAN ADIL-AMPATUAN, MNSA


MP ATTY. RASOL Y. MITMUG, JR.