

DSWD welcomes signing of Foundling Recognition and Protection Act

The Department of Social Welfare and Development (DSWD) welcomes President Rodrigo Roa Duterte's signing of Republic Act (RA) No. 11767 or the "Foundling Recognition and Protection Act", which promotes the rights and ensures additional protection for children with unknown facts of birth and parentage.

Under the new law, foundlings in the Philippines and in Philippine embassies, consulates, or territories abroad will be presumed a natural-born Filipino citizen, regardless of the status of their birth circumstances. This will guarantee the best interest of children with unknown facts of birth and parentage because they will immediately be accorded the rights and protection of a Filipino citizen at the moment of birth.

This entails the right to be provided with government programs and services, such as registration, facilitation of documents for adoption, education, legal and police protection, medical care, health and proper nourishment care, and admission to safe and secure child centers, among others.

Moreover, if the biological parent/s cannot be identified and located, the law declares foundlings to be made legally available for adoption subject to existing laws, rules, and regulations, and taking into consideration their best interest.

In the event that the search for the facts of birth and parentage of the foundling is still ongoing, the National Authority for Child Care (NACC), concerned local social welfare and development office (LSWD0), and any accredited child-caring or child-placement agency will ensure that the

foundling will receive alternative child care options, such as but are not limited to, kinship care, foster care, or residential care, among others.

The law also provides immunity for safe haven providers from any criminal liability in maintaining custody of the foundling, provided that they acted in good faith without gross negligence. Safe haven providers include: licensed child-caring or child-placements agencies; church; Department of Health-accredited health care facilities; LSWDOs; DSWD-managed residential care facilities; and, local government unit-managed residential care facilities.

For the part of the Department, it is ready to provide social protection services through its managed residential care facilities and regular programs.

The DSWD, through its Program Management Bureau, will also spearhead the preparation and coordination for the immediate formulation of the law's Implementing Rules and Regulations (IRR) to ensure the full and meaningful execution of RA 11767.

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