

PRESIDENTIAL DECREE No. 1563

ESTABLISHING AN INTEGRATED SYSTEM FOR THE CONTROL AND ERADICATION OF MENDICANCY, PROVIDING PENALTIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

WHEREAS, the promotion of social justice and protection of life, property and dignity of the citizenry is endangered by rampant mendicancy;

WHEREAS, mendicancy breeds crime, creates traffic hazards, endangers health, and exposes mendicants to indignities and degradation; and

WHEREAS, there is an immediate need to provide appropriate services to enable mendicants to meet their basic needs and develop self-reliance;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

Section 1. Title And Scope Of The Decree. This Decree shall be known as the Mendicancy Law of 1978. It shall apply to all mendicants, and exploited infants or children who are 8 years old and below, minors found begging and covered by Presidential Decree No. 603 and parents of exploited infants and children criminally liable under Article 59 and 60 of Presidential Decree No. 603.

Section 2. Purpose. This Decree shall be interpreted so as to, among others:

- a. Prevent the commission of mendicancy;
- b. Prevent the exploitation of infants and children through mendicancy and provide habilitative services for those already exploited or in immediate danger of exploitation; and
- c. Promote the rehabilitation of minors found begging and mendicants by providing an integrated developmental package of preventive, habilitative interceptive, remedial, and/or rehabilitative services.

Section 3. Definition Of Terms. As used in this Decree, the following shall, unless the context otherwise requires, be construed thus:

- a. "Mendicant" refers to any person, except those enumerated in Section 4 of this Decree, who has no visible and legal means of support, or lawful employment and who is physically able to work but neglects to apply himself to some lawful calling and instead uses begging as a means of living.
- b. "Exploited Infant" or "Child" refers to an infant or child 8 years and below who is used in begging or one who accompanies a habitual vagrant or beggar.
- c. "Habitual Mendicant" refers to one who has been convicted of mendicancy under this Decree two or more times.
- d. "Duly Licensed Child Placement Agency" or "Individual" is an institution or person licensed by the Department of Social Services and Development to assume the care, custody, protection and maintenance of children for placement in any child-caring institution or home under the care and custody of any person for purposes of adoption, guardianship or foster care.
- e. Integrated Developmental Package of Services include the following:
 1. Preventive services to measures that forestall the occurrence of situations identified as contributory to mendicancy;
 2. Habilitative services refer to measures which provide environmental or socio-economic conditions for the exploited infant or child which maximize possibilities and opportunities for the enjoyment of satisfactory equality of life before the formation of undesirable attitudes and values or the onset of conditions most conducive to mendicancy;
 3. Interceptive services are measures which channel or direct the growth potential and productive energy of the mendicant infant, child, youth or adult to offset the effect of factors contributing to mendicancy;

4. Remedial services refer to measures intended to meet the basic needs and improve living condition of the mendicant; and

5. Rehabilitative services refer to medical, social, educational, psychological and vocational measures to develop and/or restore the mendicant to the fullest state of well-being or economic usefulness of which he is capable, and to engage in a gainful occupation.

Section 4. *Apprehension Of And Services For Persons Found Begging.* Any infants or child 8 years old and below who is found begging or is being utilized by a mendicant for purposes of begging shall be apprehended as a neglected child under Article 141 of PD 603 and shall be committed to the custody and care of the Department of Social Services and Development or to any duly licensed child placement agency or individual.

Any minor over 9 years of age under 15 found begging or is being utilized for purposes of begging and who acted without discernment shall be apprehended as a neglected child under Article 141 of Presidential Decree No. 603 and shall be committed to the custody and care of the Department of Social Services and Development or to any duly licensed placement agency or individual.

Any minor over 9 years of age and under 15 who is found begging or is being utilized for the purpose of begging and who acted with discernment shall be proceeded against in accordance with the provisions of Chapter 3, Title VIII of Presidential Decree No. 603.

Any person not otherwise covered in the preceding paragraph of this Section who is found begging and who is physically or mentally incapable of gainful occupation shall be provided the integrated package of services by the Department of Social Services and Development, the Welfare units of local governments and other cooperating agencies.

Section 5. *Criminal Liability.* A mendicant as defined in Paragraph (a) Section 3 hereof, shall, upon conviction, be punished by a fine not exceeding P500.00 or by imprisonment for a period not exceeding 2 years or both at the discretion of the court.

A habitual mendicant shall be punished by a fine not exceeding P1,000.00 or by imprisonment for a period not exceeding 4 years or both at the discretion of the court.

Parents of exploited infants or minors under Section 4 of this Decree shall be proceeded against in accordance with Articles 59 and 60 of Presidential Decree No. 603, unless they are themselves mendicants.

Any person who abets mendicancy by giving alms directly to mendicants, exploited infants and minors on public roads, sidewalks, parks and bridges shall be punished by a fine not exceeding P20.00.

Section 6. *Information Program.* The Department of Public Information shall conduct a nationwide educational and information program on the Mendicancy Law and educate the public to contribute only to lawful fund raising projects and prevent the community in giving alms except through organized agencies, subject to such rules and regulations as the Secretary of the Department of Public Information may promulgate.

Section 7. *Local Programs And Facilities.* Local governments shall provide socio-economic programs and establish operating units including reception and action centers, sheltered workshops, constitute homes and other facilities for mendicants, subject to such rules and regulations as the Secretary of the Department of Local Government and Community Development may promulgate.

Section 8. *Health Needs.* The Department of Health shall provide the necessary measures in meeting the health needs of mendicants, subject to such rules and regulations as the Secretary of the Department of Health may promulgate.

Section 9. *Law Enforcement.* The Department of National Defense shall provide the necessary law enforcement and other related services for the implementation of this Decree, subject to such rules and regulations as the Secretary of the Department of National Defense may promulgate.

Section 10. *Integrated Network Of Services.* The Department of Social Services and Development shall provide an integrated network of appropriate services to exploited infants and children 8 years old and below as well as mendicant minors and adult mendicants and shall coordinate the services related to the implementation of this Decree, subject to such rules and regulations as the Secretary of the Department of Social Services and Development may promulgate.

Section 11. *Appropriations.* The sum of two million pesos (P2,000,000) is hereby authorized to be appropriated out of any funds in the National Treasury that are not otherwise appropriated, in order to support the activities under this Decree.

Section 12. *Repealing Clause.* All laws, decrees, orders, rules and regulations which are inconsistent with this Decree are hereby repealed or modified accordingly.

Section 13. *Separability Of Provisions.* If for any reason any section of provision of this Decree is declared unconstitutional or invalid, the other sections or provisions thereof which are not affected thereby shall continue in full force and effect.

Section 14. *Effectivity.* This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

Ref.: http://www.lawphil.net/statutes/presdecs/pd1978/pd_1563_1978.html

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