

SENATE

COMMITTEE REPORT NO. 777

Submitted jointly by the Committees on Social Justice, Welfare and Rural Development; Banks, Financial Institutions and Currencies; Constitutional Amendments, Revision of Codes and Laws; Energy; Finance; Health and Demography; Justice and Human Rights; Local Government; Ways and Means, and Women and Family Relations on DEC 16 2009

RE : S. No. 3581, prepared by the Committees

Recommending its approval in substitution of Senate Bill Nos. 79, 851, 1344, 1657, 1676, 1893, 1922, 1996, 2154, 2309, 2373, 2389, 2864, 2919, 3061, 3153, 3311, and 3356, with Senators Legarda, Lapid, Santiago, Angara, Villar, Trillanes IV, Roxas, Revilla Jr., Cayetano A. P. and Cayetano P. as authors.

Sponsor : Senator Pia S. Cayetano

MR. PRESIDENT,

The Committees on Social Justice, Welfare and Rural Development, joint with the Committees on Banks, Financial Institutions and Currencies; Constitutional Amendments, Revision of Codes and Laws; Energy; Finance; Health and Demography; Justice and Human Rights; Local Government; Ways and Means, and Women and Family Relations, to which were referred S. B. No. 79, introduced by Sen. Legarda, entitled:

"AN ACT

EXEMPTING SENIOR CITIZENS FROM THE PAYMENT OF REAL PROPERTY TAX UNDER CERTAIN CONDITIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7432, OTHERWISE KNOWN AS AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES, AS AMENDED BY REPUBLIC ACT NO. 9357, OTHERWISE KNOWN AS THE EXPANDED SENIOR CITIZENS ACT OF 2003, AND FOR OTHER PURPOSES"

SBN 851, introduced by Sen. Lapid, entitled:

"AN ACT

GRANTING ALL QUALIFIED SENIOR CITIZENS TWENTY PERCENT (20%) DISCOUNT ON GASOLINE, KEROSENE, LIQUEFIED PETROLEUM GAS (LPG) AND OTHER PETROLEUM PRODUCTS, AMENDING FOR THE PURPOSE SECTIONS 4 AND 10 OF REPUBLIC ACT NO. 7432, AND FOR OTHER PURPOSES"

SBN 1344, introduced by Sen. Santiago, entitled:

**"AN ACT
TO ENSURE THAT OLDER OR DISABLED PERSONS ARE
PROTECTED FROM INSTITUTIONAL, COMMUNITY, AND
DOMESTIC VIOLENCE AND SEXUAL ASSAULT AND TO
IMPROVE OUTREACH EFFORTS AND OTHER SERVICES
AVAILABLE TO OLDER OR DISABLED PERSONS VICTIMIZED
BY SUCH VIOLENCE"**

SBN 1657, introduced by Sen. Angara, entitled:

**"AN ACT
TO ENCOURAGE SOCIAL AND ECONOMIC DEVELOPMENT
THROUGH MONTHLY FINANCIAL ASSISTANCE TO THE
NEEDY SENIOR CITIZENS, APPROPRIATING FUNDS
THEREFORE AND FOR OTHER PURPOSES"**

SBN 1676, introduced by Sen. Santiago, entitled:

**"AN ACT
CREATING A PROGRAM OF SENIOR VISION SERVICES FOR
ELDERLY PERSONS WITH FUNCTIONAL VISION
IMPAIRMENTS"**

SBN 1893, introduced by Sen. Villar, entitled:

**"AN ACT
PROVIDING FREE IMMUNIZATION AGAINST INFLUENZA
VIRUS AND PNEUMOCOCCAL DISEASE FOR SENIOR
CITIZENS OR THE ELDERLY, AMENDING FOR THE PURPOSE,
SECTION 4 OF R.A. NO. 7432, AS AMENDED, OTHERWISE
KNOWN AS "AN ACT TO MAXIMIZE THE CONTRIBUTION OF
SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS
AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES"**

SBN 1922, introduced by Sen. Villar, entitled:

**"AN ACT
PROVIDING FOR THE MAINTENANCE AND SUPPORT OF
ELDERLY MEMBERS OF THE FAMILY, AND FOR OTHER
PURPOSES"**

SBN 1996, introduced by Sen. Trillanes IV, entitled:

**"AN ACT
IMPOSING STIFFER PENALTIES ON PHARMACIES AND
DRUG STORES WHICH REFUSE TO HONOR SENIOR
CITIZEN CARD ISSUED BY THE GOVERNMENT"**

SBN 2154, introduced by Sen. Legarda, entitled:

**"AN ACT
GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO
SENIOR CITIZENS AMENDING FOR THE PURPOSE REPUBLIC
ACT 9257, OTHERWISE KNOWN AS THE "EXPANDED SENIOR
CITIZENS ACT OF 2003" AND FOR OTHER PURPOSES"**

SBN 2309, introduced by Sen. Villar, *entitled:*

**“AN ACT
AMENDING SECTION 4 OF REPUBLIC ACT NO. 7432, AS
AMENDED BY REPUBLIC ACT NO. 9257, TO COMPENSATE
THE NEGATIVE EFFECTS OF REPUBLIC ACT NO. 9337 ON THE
DISCOUNT PRIVILEGE OF SENIOR CITIZENS PROVIDED
THEREUNDER AND FOR OTHER PURPOSES”**

SBN 2373, introduced by Sen. Trillanes IV, *entitled:*

**“AN ACT
PROVIDING FOR THE MAGNA CARTA FOR SENIOR CITIZENS
AND OTHER PURPOSES;”**

SBN 2389, introduced by Sen. Santiago, *entitled:*

**“AN ACT
DEFINING AND PENALIZING THE CRIME OF CRIMINAL
NEGLECT OF A VULNERABLE ELDERLY PERSON OR A PERSON
WITH DISABILITY”**

SBN 2864, introduced by Sen. Legarda, *entitled:*

**“AN ACT
ESTABLISHING SENIOR CITIZENS WARD IN PUBLIC
HOSPITALS IN THE PHILIPPINES AND APPROPRIATING
FUNDS THEREFOR”**

SBN 2919, introduced by Sen. Villar, *entitled:*

**“AN ACT
GRANTING FREE HOSPITALIZATION TO SENIOR CITIZENS IN
ANY GOVERNMENT HOSPITAL, AMENDING FOR THE
PURPOSE, SECTION FOUR (E) OF REPUBLIC ACT NUMBERED
SEVENTY-FOUR HUNDRED AND THIRTY TWO”**

SBN 3061, introduced by Sen. Roxas, *entitled:*

**“AN ACT
ENSURING THE FULL ENJOYMENT OF SENIOR CITIZENS
DISCOUNT ON THE PURCHASE OF DRUGS AND MEDICINES
BY EXEMPTING SUCH TRANSACTION FROM THE
IMPOSITION OF VALUE-ADDED TAX (VAT), PROVIDING
GREATER INCENTIVES TO DRUG OUTLETS COMPLYING
WITH REPUBLIC ACT NO. 9257 OR THE 'EXPANDED SENIOR
CITIZENS ACT OF 2003', IMPOSING STIFFER PENALTIES FOR
VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 9257, AND FOR OTHER PURPOSES”**

SBN 3153, introduced by Sen. Revilla, Jr., *entitled:*

**“AN ACT
AMENDING PARAGRAPH (A), SECTION 4 OF REPUBLIC
ACT NO. 9257, OTHERWISE KNOWN AS THE EXPANDED
SENIOR CITIZENS ACT OF 2003”**

SBN 3311, introduced by Sen. A. Cayetano, entitled:

**"AN ACT
PROVIDING FOR A SOCIAL JUSTICE AND WELFARE
PROGRAM FOR THE PROTECTION AND CARE OF THE
ELDERLY WITHOUT ANY IDENTIFIABLE FAMILY
MEMBERS OR WITHOUT ANY MEANS OF SUPPORT."**

SBN 3356, introduced by Sen. Revilla, Jr., entitled:

**"AN ACT
PROVIDING FOR A SOCIAL JUSTICE AND WELFARE
PROGRAM FOR THE PROTECTION AND CARE OF THE
ELDERLY WITHOUT ANY IDENTIFIABLE FAMILY
MEMBERS OR WITHOUT ANY MEANS OF SUPPORT."**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached S. B. No. 3361, prepared by the Committees, entitled:

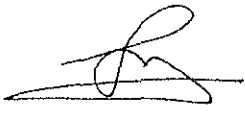
**"AN ACT
GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO
SENIOR CITIZENS, FURTHER AMENDING REPUBLIC ACT
7432, AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO
MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO
NATION BUILDING, GRANT BENEFITS AND SPECIAL
PRIVILEGES AND FOR OTHER PURPOSES"**

be approved in substitution of Senate Bills Nos. 79, 851, 1344, 1657, 1676, 1893, 1922, 1996, 2154, 2309, 2373, 2389, 2864, 2919, 3061, 3153, 3311, and 3356, with Senators Legarda, Lapid, Santiago, Angara, Villar, Trillanes IV, Roxas, Revilla Jr., Cayetano A.P., and Cayetano P., as authors thereof.

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SENATE

S.B. No. 3561

RECEIVED BY

(In substitution of Senate Bill Nos. 79, 851, 1344, 1657, 1676, 1893, 1922, 1996, 2154, 2309, 2373, 2389, 2864, 2919, 3061, 3153, 3311, and 3356)

Prepared jointly by the Committees on Social Justice, Welfare and Rural Development; Banks, Financial Institutions and Currencies; Constitutional Amendments, Revision of Codes and Laws; Energy; Finance; Health and Demography; Justice and Human Rights; Local Government; Ways and Means, and Women and Family Relations with Senators Legarda, Lapid, Santiago, Angara, Villar, Trillanes IV, Roxas, Revilla Jr., Cayetano A.P. and Cayetano P. as authors thereof.

AN ACT GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO SENIOR CITIZENS, FURTHER AMENDING REPUBLIC ACT 7432, AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES"

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

1 SECTION 1. *Title.* – This Act shall be known as the "Expanded Senior Citizens
2 Act of 2009".

3
4 SEC. 2. *Declaration of Policies and Objectives.* – As provided in the Constitution
5 of the Republic of the Philippines, it is the declared policy of the State to promote
6 a just and dynamic social order that will ensure the prosperity and independence
7 of the nation and free the people from poverty through policies that provide
8 adequate social services, promote full employment, a rising standard of living
9 and an improved quality of life. In the Declaration of Principles and State Policies
10 in Article II, Sections 10 and 11, it is further declared that the State shall provide
11 social justice in all phases of national development and that the State values the
12 dignity of every human person and guarantees full respect for human rights.

13 Article XIII, Section 11 of the Constitution provides that the State shall
14 adopt an integrated and comprehensive approach to health development which
15 shall endeavor to make essential goods, health and other social services
16 available to all the people at affordable cost. There shall be priority for the needs
17 of the underprivileged, sick, elderly, disabled, women and children. Article XV,
18 Section 4 of the Constitution further declares that it is the duty of the family to

1 take care of its elderly members while the State may design programs of social
2 security for them.

3 Consistent with these constitutional principles, this Act shall serve the
4 following objectives:

5 a. To recognize the rights of senior citizens to take their proper place in
6 society and make it a concern of the family, community and government;

7 b. To give full support to the improvement of the total well-being of the
8 elderly and their full participation in society, considering that senior citizens are
9 integral part of Philippine society;

10 c. To motivate and encourage senior citizens to contribute to nation
11 building;

12 d. To encourage their families and the communities they live with to
13 reaffirm the valued Filipino tradition of caring for senior citizens;

14 e. To provide a comprehensive health care and rehabilitation system for
15 disabled senior citizens to foster their capacity to attain a more meaningful and
16 productive aging; and

17 f. To recognize the important role of the private sector in the improvement
18 of the welfare of senior citizens and to actively seek their partnership.

19 In accordance with these objectives, this Act shall:

20 1. Establish mechanisms whereby the contributions of senior citizens are
21 maximized;

22 2. Adopt measures whereby our senior citizens are assisted and
23 appreciated by the community as a whole;

24 3. Establish a program beneficial to senior citizens, their families and the
25 rest of the community that they serve; and

26 4. Establish community-based health and rehabilitation programs for
27 senior citizens in every political unit of society.

28
29 SEC. 3. Section 2 of Republic Act 9257 is hereby further amended to read as
30 follows:

31 "SEC. 2. Definition of Terms. – For purposes of this Act, these terms are
32 defined as follows:

33 a. "Senior citizen" or "elderly" shall mean any resident citizen of the Philippines at
34 least sixty (60) years old;

35 b. "Geriatrics" shall refer to the branch of medical science devoted to the study of
36 the biological and physical changes and the diseases of old age;

37 c. "Lodging establishment" shall refer to a building, edifice, structure, apartment
38 or house including tourist inn, apartelle, motorist hotel, and pension house

1 engaged in catering, leasing or providing facilities to transients, tourists or
2 travelers.

3 d. "Medical services" shall refer to hospital services, professional services of
4 physicians and other health care professionals and diagnostic and laboratory
5 tests that are necessary for the diagnosis or treatment of an illness or injury.

6 e. "Dental services" shall refer to oral examination, cleaning, permanent and
7 temporary filling, extractions and gum treatments, restoration, replacement or
8 repositioning of teeth, or alteration of the alveolar or periodontium process of the
9 maxilla and the mandible that are necessary for the diagnosis or treatment of an
10 illness or injury.

11 f. "Nearest surviving relative" shall refer to the legal spouse who survives the
12 deceased senior citizens: *Provided*, That where no spouse survives the
13 decedent, this shall be limited to relatives in the following order of degree of
14 kinship: children, parents, siblings, grandparents, grandchildren, uncles and
15 aunts.

16

17 SEC. 4. Section 4 of Republic Act 7432, as amended by Republic Act 9257,
18 otherwise known as the "Expanded Senior Citizens Act of 2003" is hereby further
19 amended to read as follows:

20 "SEC. 4. *Privileges for the Senior Citizens.* – The senior citizens shall be
21 entitled to the following:

22 (a) The grant of twenty percent (20%) discount **AND EXEMPTION FROM THE**
23 **VALUE-ADDED TAX (VAT) PROVIDED UNDER THE NATIONAL INTERNAL**
24 **REVENUE CODE ON THE SALE OF GOODS AND SERVICES FROM ALL**
25 **ESTABLISHMENTS**, for the exclusive use and enjoyment or availment of senior
26 citizens, of the following:

27 i. **ON THE PURCHASE OF MEDICINES, INCLUDING THE**
28 **PURCHASE OF INFLUENZA AND PNEUMOCOCCAL VACCINES. THE**
29 **DEPARTMENT OF HEALTH (DOH) SHALL ESTABLISH GUIDELINES**
30 **IN THE SHARING OF BURDEN OF DISCOUNT AMONG RETAILERS,**
31 **MANUFACTURERS AND DISTRIBUTORS;**

32 ii. **ON THE PROFESSIONAL FEES OF ATTENDING**
33 **PHYSICIAN/S IN ALL PRIVATE HOSPITALS, MEDICAL FACILITIES,**
34 **AND OUTPATIENT CLINIC;**

35 iii. **ON MEDICAL AND DENTAL SERVICES, DIAGNOSTIC AND**
36 **LABORATORY FEES IN ALL PRIVATE HOSPITALS AND MEDICAL**
37 **FACILITIES, AND OUTPATIENT CLINIC, IN ACCORDANCE WITH THE**
38 **RULES AND REGULATIONS TO BE ISSUED BY DOH IN**

1 COORDINATION WITH THE PHILIPPINE INSURANCE CORPORATION
2 (PHILHEALTH);

3 iv. IN ACTUAL FARE FOR LAND TRANSPORTATION TRAVEL
4 IN PUBLIC UTILITY BUSES (PUB), PUBLIC UTILITY JEEPNEYS (PUJ),
5 TAXIS, ASIAN UTILITY VEHICLES (AUVS), SHUTTLE SERVICES AND
6 PUBLIC RAILWAYS, INCLUDING LIGHT RAIL TRANSIT (LRT), MASS
7 RAIL TRANSIT (MRT), AND PHILIPPINES NATIONAL RAILWAYS
8 (PNR).

9 v. IN ACTUAL TRANSPORTATION FARE FOR DOMESTIC AIR
10 TRANSPORT SERVICES AND SEA SHIPPING VESSEL AND THE
11 LIKE, BASED ON THE ACTUAL FARE, ADVANCED BOOKING AND
12 SIMILAR DISCOUNTED FARE;

13 vi. ON THE UTILIZATION OF SERVICES IN HOTELS AND
14 SIMILAR LODGING ESTABLISHMENTS, RESTAURANTS AND
15 RECREATION CENTERS; AND

16 vii. ON ADMISSION FEES CHARGED BY THEATERS, CINEMA
17 HOUSES AND CONCERT HALLS, CIRCUSES, CARNIVALS AND
18 OTHER SIMILAR PLACES OF CULTURE, LEISURE AND
19 AMUSEMENT.

20 (b) Exemption from the payment of individual income taxes OF SENIOR
21 CITIZENS WHO ARE CONSIDERED TO BE MINIMUM WAGE EARNERS IN
22 ACCORDANCE WITH REPUBLIC ACT NO. 9504;

23 (c) Exemption from training fees for socio-economic programs;

24 (d) Free medical and dental service, diagnostic and laboratory fees such as, but
25 not limited to x-rays, computerized tomography scans and blood tests, in all
26 government facilities, subject to the guidelines to be issued by the Department of
27 Health in coordination with the Philippines Health Insurance Corporation
28 (PHILHEALTH);

29 (E) THE DOH SHALL ADMINISTER FREE VACCINATION AGAINST THE
30 INFLUENZA VIRUS AND PNEUMOCOCCAL DISEASE FOR INDIGENT
31 SENIOR CITIZEN PATIENTS;

32 (f) Educational assistance to senior citizens to pursue post secondary, tertiary,
33 post tertiary, as well as vocational or technical education in both public and
34 private schools through provision of scholarship, grant, financial aid, subsidies
35 and other incentives to qualified senior citizens, including support for books,
36 learning materials, and uniform allowance, to the extent feasible: *Provided*, That
37 senior citizen shall meet minimum admission requirements;

1 (g) To the extent practicable and feasible, the continuance of the same benefits
2 and privileges given by the Government Service Insurance System (GSIS),
3 Social Security System (SSS) and Pag-IBIG, as the case may be, as are enjoyed
4 by those in actual service;

5 (h) Retirement benefits of retirees from both the government and private sector
6 shall be regularly reviewed to ensure their continuing responsiveness and
7 sustainability, and to the extent practicable and feasible, shall be upgraded to be
8 at par with the current scale enjoyed by those in actual service;

9 (i) To the extent possible, the government may grant special discounts in special
10 programs for senior citizens on purchase of basic commodities, subject to the
11 guidelines to be issued for the purpose by the Department of Trade and Industry
12 (DTI) and the Department of Agriculture (DA);

13 (j) Provision of express lanes for senior citizens in all commercial and
14 government establishments, in the absence thereof, priority shall be given to
15 them;

16 **(K) DEATH BENEFIT ASSISTANCE OF A MINIMUM OF TWO THOUSAND**
17 **PESOS (P2,000.00) SHALL BE GIVEN TO THE NEAREST SURVIVING**
18 **RELATIVE OF A DECEASED SENIOR CITIZEN WHICH AMOUNT SHALL BE**
19 **SUBJECT TO ADJUSTMENTS DUE TO INFLATION IN ACCORDANCE WITH**
20 **THE GUIDELINES TO BE ISSUED BY THE DEPARTMENT OF SOCIAL**
21 **WELFARE AND DEVELOPMENT (DSWD).**

22 In the availment of the privileges mentioned above, the senior citizen, **OR**
23 **HIS/ HER DULY AUTHORIZED REPRESENTATIVE AS MAY BE PROVIDED**
24 **IN THE IMPLEMENTING RULES AND REGULATIONS**, may submit as proof of
25 his entitlement thereto any of the following:

26 a. an identification card issued by the city or municipality mayor of the
27 barangay captain of the place the senior citizen resides;

28 b. the passport of the senior citizen concerned; and

29 c. other documents that establish that the senior citizen is a citizen of the
30 Republic and is at least sixty (60) years of age **AS FURTHER**
31 **PROVIDED IN THE IMPLEMENTING RULES AND REGULATIONS.**

32 **IN THE PURCHASE OF GOODS AND SERVICES WHICH ARE ON**
33 **PROMOTIONAL DISCOUNT, THE SENIOR CITIZEN CAN AVAIL OF THE**
34 **PROMOTIONAL DISCOUNT OR THE DISCOUNT PROVIDED HEREIN,**
35 **WHICHEVER MAY BE HIGHER.**

36 The establishment may claim the discounts granted under subsection (a)
37 of this section as tax deduction based on the cost of the goods sold or services
38 rendered: *Provided, That the cost of discount shall be allowed as deduction from*

1 gross income for the same taxable year the discount is granted: *Provided,*
2 *further,* That the total amount of the claimed tax deduction net of VAT, if
3 applicable, shall be included in their gross sales receipts for tax purposes and
4 subject to proper documentation and to the provisions of the National Internal
5 Revenue Code (NIRC), as amended.

6

7 SEC 5. Section 5 of the same Act, as amended, is hereby further amended as
8 follows:

9 "SEC. 5. *Government Assistance.* – The Government shall provide the
10 following:

11 (a) Employment

12 Senior citizens who have the capacity and desire to work, or be reemployed,
13 shall be provided information and matching services to enable them to be
14 productive members of society. Terms of employment shall conform with the
15 provisions of the Labor Code, as amended, and other laws, rules and
16 regulations.

17 Private entities that will employ senior citizens as employees upon effectivity
18 of this Act, shall be entitled to an additional deduction from their gross income,
19 equivalent to fifteen percent (15%) of the total amount paid as salaries and
20 wages to senior citizens subject to the provision of Section 34 of the National
21 Revenue Code, as amended: *Provided, however,* that such employment shall
22 continue for a period of at least six (6) months; *Provided, further,* that the annual
23 income of the senior citizens does not exceed the poverty level as determined
24 by the National Economic and Development Authority (NEDA) for that year.

25 The Department of Labor and Employment (DOLE), in coordination with
26 other government agencies such as, but not limited to, the Technology and
27 Livelihood Resource Center (TLRC) and the Department of Trade and Industry
28 (DTI), shall assess, design and implement training programs that will provide
29 skills and welfare or livelihood support for senior citizens.

30 (b) Education

31 The Department of Education (DepEd), Technical Education and Skills
32 Development Authority (TESDA) and Commission on Higher Education (CHED),
33 in consultation with Non- Governmental Organizations (NGOs) and People's
34 Organizations (POs) for senior citizens, shall institute a program that will ensure
35 access to formal and non-formal education.

36 (c) Health

37 The Department of Health (DOH), in coordination with Local Government
38 Units (LGUs), Non- Governmental Organizations (NGOs) and People's

1 Organizations (POs) for senior citizens, shall institute a national health program
2 and shall provide an integrated health service for senior citizens. It shall train
3 community-based health workers among senior citizens and health personnel to
4 specialize in the geriatric care health problems of senior citizens.

5 **THE NATIONAL HEALTH PROGRAM FOR SENIOR CITIZENS SHALL,**
6 **AMONG OTHERS, BE HARMONIZED WITH THE NATIONAL PREVENTION**
7 **OF BLINDNESS PROGRAM OF THE DEPARTMENT OF HEALTH.**

8 **THROUGHOUT THE COUNTRY, THERE SHALL BE ESTABLISHED A**
9 **"SENIOR CITIZENS WARD" IN EVERY GOVERNMENT HOSPITAL. THIS**
10 **GERIATRIC WARD SHALL BE FOR THE EXCLUSIVE USE OF SENIOR**
11 **CITIZENS WHO ARE IN NEED OF HOSPITAL CONFINEMENT BY REASON**
12 **OF THEIR HEALTH CONDITIONS. HOWEVER, WHEN URGENCY OF**
13 **PUBLIC NECESSITY OR EMERGENCY PURPOSES SO REQUIRE, SUCH**
14 **GERIATRIC WARD MAY BE USED FOR EMERGENCY PURPOSES, AFTER**
15 **WHICH, SUCH "SENIOR CITIZENS WARD" SHALL BE REVERTED TO ITS**
16 **NATURE AS GERIATRIC WARD.**

17 (d) Social Services

18 The Department of Social Welfare and Development (DSWD), in
19 cooperation with the Office of the Senior Citizen Affairs (OSCA) and the Local
20 Government Units (LGUs), Non- Governmental Organizations (NGOs) and
21 People's Organizations (POs) for senior citizens, shall develop and implement
22 programs on social service for senior citizens, the components of which are:

23 1) "self and social enhancement services" which provide senior citizens
24 opportunities for socializing, organizing, creative expression, and improvement of
25 self;

26 2) "after care and follow- up services" which provide senior citizens who
27 are discharged from the home/ institutions for the aged, especially those who
28 have problems of reintegration with family and community, wherein both the
29 senior citizens and their families are provided with counseling;

30 3) "neighborhood support services" wherein the community/ family
31 members provide care giving services to their frail, sick or bed-ridden senior
32 citizens; and

33 4) "substitute family care" in the form of residential care/ group home for
34 the abandoned, neglected, unattached or homeless senior citizens and those
35 incapable of self- care.

36 At least fifty per cent (50%) discount shall be granted on the consumption
37 of electricity, water and telephone by the senior citizens center and residential
38 care/ group homes that are **GOVERNMENT-RUN OR** non- stock, non- profit

1 domestic corporation organized and operated **PRIMARILY** for the purpose of
2 promoting the well-being of abandoned, neglected, unattached, or homeless
3 senior citizens, subject to the guidelines formulated by the DSWD.

4 (e) Housing

5 The national government shall include in its national shelter program the
6 special housing needs of senior citizens, such as establishment of housing units
7 for the elderly.

8 (f) Access to Public Transport

9 The Department of Transportation and Communications (DOTC) shall
10 develop a program to assist senior citizens to fully gain access to public transport
11 facilities.

12 (g) Incentive for Foster Care

13 The government shall provide incentives to individual or
14 nongovernmental institution caring for, establishing homes, residential
15 communities or retirement villages solely for senior citizens, as follows:

- 16 1) Realty tax holiday for the first five (5) years starting from the first year
17 of operation; and
- 18 2) Priority in the construction or maintenance of provincial or municipal
19 roads leading to the aforesaid home, residential community or
20 retirement village.

21 **(H) ADDITIONAL GOVERNMENT ASSISTANCE**

22 **1) SOCIAL PENSION**

23 **INDIGENT SENIOR CITIZENS IDENTIFIED BY THE DSWD SHALL BE**
24 **ENTITLED TO A MONTHLY STIPEND AMOUNTING TO ONE THOUSAND**
25 **FIVE HUNDRED PESOS (P1,500) TO AUGMENT THE DAILY SUBSISTENCE**
26 **AND OTHER MEDICAL NEEDS OF SENIOR CITIZENS.**

27 **FOR PURPOSE HEREOF, "INDIGENT SENIOR CITIZEN" SHALL**
28 **REFER TO ANY SENIOR CITIZEN WHO IS EITHER FRAIL, SICKLY, OR WITH**
29 **DISABILITY AND WITHOUT A PERMANENT SOURCE OF INCOME,**
30 **COMPENSATION, PENSION OR FINANCIAL ASSISTANCE FROM HIS**
31 **RELATIVES TO SUPPORT HIS BASIC NEEDS, AS DETERMINED BY THE**
32 **DSWD.**

33 **THE DSWD, IN CONSULTATION WITH THE MEMBERS OF THE**
34 **NATIONAL MONITORING AND COORDINATING BOARD AND OTHER**
35 **CONCERNED GOVERNMENT AND NON-GOVERNMENT AGENCIES SHALL**
36 **DEVELOP THE APPROPRIATE IMPLEMENTING GUIDELINES FOR**
37 **PURPOSES OF DETERMINING WHO THE QUALIFIED BENEFICIARIES**
38 **SHALL BE FOR THESE SERVICES.**

1 2) MANDATORY PHILHEALTH COVERAGE.

2 ALL INDIGENT SENIOR CITIZENS SHALL BE COVERED BY THE
3 NATIONAL HEALTH INSURANCE PROGRAM OF PHILHEALTH. THE LOCAL
4 GOVERNMENT UNITS CONCERNED WHERE THE INDIGENT SENIOR
5 CITIZENS RESIDE SHALL ALLOCATE THE NECESSARY FUNDS TO
6 ENSURE THAT THEIR CONSTITUENTS WILL BE ENROLLED, IN
7 ACCORDANCE WITH THE PERTINENT LAWS AND REGULATIONS.

8 3) SOCIAL SAFETY NETS

9 SOCIAL SAFETY NETS INTENDED TO CUSHION THE EFFECTS OF
10 ECONOMIC SHOCKS, DISASTERS AND CALAMITIES SHALL BE
11 AVAILABLE FOR SENIOR CITIZENS. FUNDING FOR THE PROVISION OF
12 SOCIAL SAFETY ASSISTANCE SHALL BE SOURCED FROM THE
13 DISASTER/ CALAMITY FUNDS OF LOCAL GOVERNMENT UNITS WHERE
14 THE SENIOR CITIZENS ARE RESIDING AT THE TIME OF THE
15 OCCURRENCE OF THE EVENT. THE DSWD SHALL ISSUE GUIDELINES
16 FOR THESE SERVICES WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO,
17 FOOD AND FINANCIAL ASSISTANCE FOR HOUSING, MEDICINES, AND
18 OTHER ESSENTIALS.

19
20 SEC. 6. Section 6 of the same Act, as amended, is hereby further amended as
21 follows:

22 "SEC. 6. *The Office for Senior Citizens Affairs (OSCA)* - There shall be
23 established in all cities and municipalities an OSCA to be headed by a senior
24 citizen who shall be appointed by the mayor for a term of three (3) years without
25 reappointment **BUT WITHOUT PREJUDICE TO AN EXTENSION IF EXIGENCY**
26 **SO REQUIRES. SAID APPOINTEE SHALL BE CHOSEN** from a list of three (3)
27 nominees **AS RECOMMENDED BY A GENERAL ASSEMBLY OF SENIOR**
28 **CITIZENS ORGANIZATION IN THE CITY OR MUNICIPALITY.**

29 **THE OSCA HEAD SHALL BE APPOINTED TO SERVE THE INTEREST**
30 **OF SENIOR CITIZENS AND SHALL NOT BE REMOVED OR REPLACED**
31 **EXCEPT FOR REASONS OF DEATH, PERMANENT DISABILITY, OR**
32 **INEFFECTIVE PERFORMANCE OF HIS DUTIES TO THE DETRIMENT OF**
33 **FELLOW SENIOR CITIZENS.**

34 **THE OSCA HEAD SHALL BE ENTITLED TO RECEIVE AN**
35 **HONORARIUM OF AN AMOUNT AT LEAST EQUIVALENT TO SALARY**
36 **GRADE 10 TO BE APPROVED BY THE LGU CONCERNED.**

1 The head of the OSCA shall be assisted by the City Social Welfare and
2 Development Officer or by the municipal social and development officer, in
3 coordination with the Social Welfare and Development Office.

4 **THE OFFICE OF THE MAYOR SHALL EXERCISE SUPERVISION**
5 **OVER THE OSCA RELATIVE TO THEIR PLANS, ACTIVITIES AND**
6 **PROGRAMS FOR SENIOR CITIZENS. THE OSCA SHALL WORK TOGETHER**
7 **AND ESTABLISH LINKAGES WITH ACCREDITED NGOS, POS AND THE**
8 **BARANGAYS IN THEIR RESPECTIVE AREAS.**

9 **THE OFFICE FOR SENIOR CITIZENS AFFAIRS SHALL HAVE THE**
10 **FOLLOWING FUNCTIONS:**

11 **(A) TO PLAN, IMPLEMENT AND MONITOR YEARLY WORK PROGRAMS IN**
12 **PURSUANCE OF THE OBJECTIVES OF THIS ACT;**

13 **(B) TO DRAW UP A LIST OF AVAILABLE AND REQUIRED SERVICES**
14 **WHICH CAN BE PROVIDED BY THE SENIOR CITIZENS;**

15 **(C) TO MAINTAIN AND REGULARLY UPDATE ON A QUARTERLY BASIS**
16 **THE LIST OF SENIOR CITIZENS AND TO ISSUE NATIONALLY UNIFORM**
17 **INDIVIDUAL IDENTIFICATION CARDS, FREE OF CHARGE, WHICH SHALL**
18 **BE VALID ANYWHERE IN THE COUNTRY;**

19 **(D) TO SERVICE AS A GENERAL INFORMATION AND LIAISON CENTER TO**
20 **SERVE THE NEEDS OF THE SENIOR CITIZENS;**

21 **(E) TO MONITOR COMPLIANCE OF THE PROVISIONS OF THIS ACT**
22 **PARTICULARLY THE GRANT OF SPECIAL DISCOUNTS AND PRIVILEGES**
23 **TO SENIOR CITIZENS;**

24 **(F) TO REPORT TO THE MAYOR, ESTABLISHMENTS FOUND VIOLATING**
25 **ANY PROVISION OF THIS ACT; AND**

26 **(G) TO ASSIST THE SENIOR CITIZENS IN FILING COMPLAINTS OR**
27 **CHARGES AGAINST ANY ESTABLISHMENT, INSTITUTION, OR AGENCY**
28 **REFUSING TO COMPLY WITH THE PRIVILEGES UNDER THIS ACT BEFORE**
29 **THE DEPARTMENT OF JUSTICE OR THE PROVINCIAL, CITY OR**
30 **MUNICIPAL TRIAL COURT.”**

31
32 SEC. 7. Section 10 of the same Act, as amended, is hereby further amended to
33 read as follows:

34 **“SEC. 10.- Penalties-** Any person who violates any provision of this Act
35 shall suffer the following penalties:

36 (1) For the first violation, a fine of not less than Fifty thousand pesos
37 (P50,000.00) but not exceeding One hundred thousand pesos (P100,000.00) and

1 imprisonment of not less than six (6) months but not more than two (2) years;
2 and

3 (2) For any subsequent violation, a fine of not less than One hundred thousand
4 pesos (P100,000.00) but not exceeding Two hundred thousand pesos
5 (P200,000.00) and imprisonment of not less than two (2) years but not more than
6 six (6) years.

7 **ANY PERSON WHO ABUSES THE PRIVILEGES GRANTED HEREIN**
8 **SHALL BE PUNISHED WITH A FINE OF NOT LESS THAN FIVE THOUSAND**
9 **PESOS (P5,000.00) BUT NOT MORE THAN FIFTY THOUSAND PESOS**
10 **(P50,000.00), AND IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS.**

11 If the offender is a corporation, organization or any similar entity, the
12 officials thereof directly involved shall be liable therefore; **PROVIDED, THAT**
13 **THE OWNER, MANAGER AND/OR EMPLOYEE OF ANY ESTABLISHMENT**
14 **WHO REFUSES TO HONOR THE SENIOR CITIZEN CARD ISSUED BY THE**
15 **GOVERNMENT SHALL, IF FOUND GUILTY, BE PUNISHED WITH A FINE OF**
16 **NOT LESS THAN TEN THOUSAND PESOS (P10,000) NOR MORE THAN**
17 **FIFTY THOUSAND PESOS (P50,000) OR IMPRISONMENT OF NOT LESS**
18 **THAN ONE (1) MONTH NOR MORE THAN SIX (6) MONTHS OR BOTH SUCH**
19 **FINE AND IMPRISONMENT AT THE DISCRETION OF THE COURT. THE**
20 **ESTABLISHMENT FOUND GUILTY UNDER THE PROVISIONS OF THIS ACT**
21 **SHALL PAY DAMAGES AND REIMBURSE THE COST OF LITIGATION**
22 **INCURRED BY THE OFFENDED SENIOR CITIZEN.**

23 **IF THE OFFENDER IS AN ALIEN OR A FOREIGNER, HE SHALL BE**
24 **DEPORTED IMMEDIATELY AFTER SERVICE OF SENTENCE WITHOUT**
25 **FURTHER DEPORTATION PROCEEDINGS.**

26 **UPON FILING OF AN APPROPRIATE COMPLAINT, AND AFTER DUE**
27 **NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO CAUSE**
28 **THE CANCELLATION OR REVOCATION OF THE BUSINESS PERMIT,**
29 **PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR PRIVILEGES**
30 **GRANTED TO ANY BUSINESS ENTITY THAT FAILS TO ABIDE BY THE**
31 **PROVISIONS OF THIS ACT.**

32 SEC. 8. Section 11 of the same Act, as amended, is hereby further amended as
33 follows:

34 *"SEC. 11. Monitoring and Coordinating Mechanism.-* A monitoring and
35 coordinating mechanism shall be established to be chaired by the DSWD, with
36 the assistance of the **DEPARTMENT OF TRADE AND INDUSTRY (DTI),**
37 Department of Justice (DOJ), Department of Health (DOH), Department of

1 Interior and Local Government (DILG), and five (5) accredited NGOs
2 representing, but not limited to women, urban poor, rural poor and the veterans.”
3

4 *SEC. 9. Responsibility of Municipal and City Mayors.* – It shall be the
5 responsibility of the municipal and city mayors to require all establishments
6 covered by this Act to prominently display posters, stickers and other notices in
7 conspicuous places that will generate public awareness of the rights and
8 privileges of senior citizens and to ensure that the provisions of this Act are
9 implemented to its fullest.
10

11 *SEC. 10. Partnership of the National and Local Government Units.* – The
12 national government and the LGUs shall explore livelihood opportunities and
13 other undertakings to enhance the well-being of senior citizens. They shall
14 encourage the establishment of grassroots organizations for the elderly in their
15 respective territorial jurisdictions.
16

17 *SEC. 11. Support for Nongovernmental Organizations (NGOs).* – NGOs or
18 private volunteer organizations dedicated to the promotion, enhancement and
19 support of the welfare of senior citizens are hereby encouraged to become
20 partners of government in the implementation of programs and projects for the
21 elderly.

22 Accordingly, the government shall recognize the vital role of NGOs in
23 complementing the government in the delivery of services to senior citizens. It
24 shall likewise encourage NGOs for senior citizens to develop innovative service
25 models and pilot projects and to assist in the duplication of successful examples
26 of these models elsewhere in the country.
27

28 *SEC. 12. Implementing Rules and Regulations* – Within sixty (60) days from the
29 effectivity of this Act, the Secretary of Social Welfare and Development shall
30 formulate and adopt amendments to the existing rules and regulations
31 implementing Republic Act No. 7432, as amended by Republic Act No. 9257, to
32 carry out the objectives of this Act, in consultation with the Department of
33 Finance, Department of Tourism, Department of Trade and Industry, Department
34 of Labor and Employment, Department of Health, Department of the Interior and
35 Local Government, and Department of Transportation and Communications.
36

37 **SEC. 13. APPROPRIATIONS.** – **THE NECESSARY APPROPRIATIONS FOR**
38 **THE OPERATION AND MAINTENANCE OF THE OSCA SHALL BE**

1 APPROPRIATED AND APPROVED BY THE LGUS CONCERNED. FOR
2 NATIONAL GOVERNMENT AGENCIES, THE REQUIREMENTS TO
3 IMPLEMENT THE PROVISIONS OF THIS ACT SHALL BE INCLUDED IN
4 THEIR RESPECTIVE BUDGETS: PROVIDED, THAT THE FUNDS TO BE
5 USED FOR THE NATIONAL HEALTH PROGRAM AND FOR THE
6 VACCINATION OF SENIOR CITIZENS SHALL BE ADDED TO THE REGULAR
7 APPROPRIATIONS OF THE DEPARTMENT OF HEALTH AS A SEPARATE
8 LINE BUDGET.

9

10 SEC. 14. *Repealing Clause.*- All laws, executive orders, rules and regulations, or
11 any part thereof inconsistent herewith are deemed repealed or modified
12 accordingly.

13

14 SEC. 15. *Separability Clause.*- If any part of provision of this Act shall be
15 declared unconstitutional and valid, such declaration shall not invalidate other
16 parts thereof, which shall remain in full force and effect.

17

18 SEC. 16. *Effectivity.* - This Act shall take fifteen (15) days after its complete
19 publication in the Official Gazette or in at least two (2) newspapers of general
20 circulation, whichever, comes earlier.