

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Third Regular Session

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12 JUL 17 02:42

S E N A T E

COMMITTEE REPORT NO. 314

Submitted jointly by the Committees on Justice and Human Rights; Social Justice, Welfare and Rural Development *and* Finance on JUL 17 2012

Re: Senate Bill No. 3234

Recommending its approval in substitution of S. Nos 840, 1655, 1911, and 2540.

Sponsor: Senator Escudero

MR. PRESIDENT:

The Committees on Justice and Human Rights, Social Justice, Welfare and Rural Development *and* Finance to which were referred S. No. 840 , introduced by Senators Jinggoy Ejercito-Estrada and Francis G. Escudero, entitled:

**“AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
SENIORS.”**

S. No. 1655, introduced by Senator Miriam Defensor - Santiago, entitled:

**“AN ACT
ESTABLISHING ELDER SERVE COORDINATING COUNCILS THAT
PROVIDE FOR EMERGENCY CRISIS RESPONSE TEAMS TO COMBAT
ELDERLY ABUSE.”**

S. No. 1911, introduced by Senator Miriam Defensor - Santiago, entitled:

**“AN ACT
TO COMBAT ABUSE AND INCREASE PENALTIES FOR CRIMES AGAINST
SENIORS”**

And S.No. 2540, introduced by Senator Ramon Revilla, Jr., entitled:

**“AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
SENIORS.”**

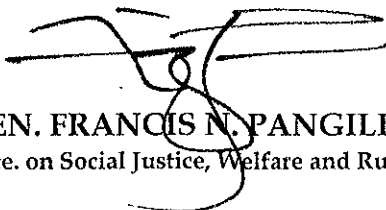
have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 3234, prepared by the Committees, entitled:

**“AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
AND TO STRENGTHEN GOVERNMENT SERVICE AND SUPPORT
MECHANISMS FOR SENIORS.”**


be approved in substitution of S. Nos. 840, 1655, 1911 and 2540, with Senators Ejercito-Estrada, Escudero, Santiago, Revilla, Pangilinan and Drilon as authors thereof.

Respectfully Submitted:

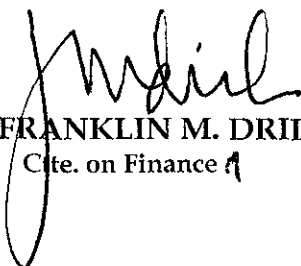
Chairmen:



SEN. FRANCIS N. PANGILINAN
Ctte. on Social Justice, Welfare and Rural Development

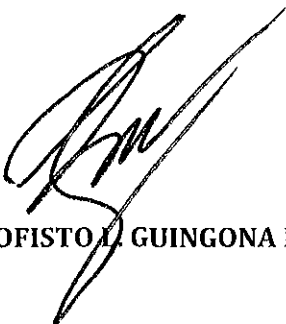


SEN. FRANCIS G. ESCUDERO
Ctte. on Justice and Human Rights



SEN. FRANKLIN M. DRILON
Ctte. on Finance

Members:



SEN. TEOFISTO A. GUINGONA III




SEN. AQUILINO PIMENTEL, III



SEN. LOREN B. LEGARDA



SEN. RAMON "BONG" REVILLA, JR.



SEN. SERGIO R. OSMEÑA III



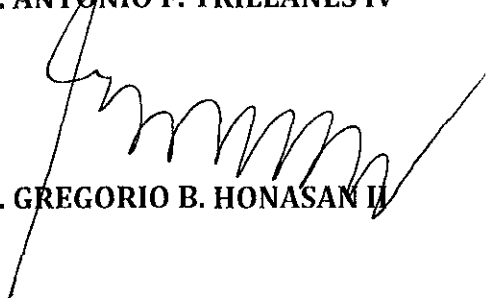
SEN. JOKER P. ARROYO



SEN. ANTONIO F. TRILLANES IV



SEN. MIRIAM DEFENSOR-SANTIAGO



SEN. GREGORIO B. HONASAN II



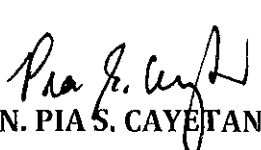
SEN. MANUEL "LITO" M. LAPID



SEN. FERDINAND R. MARCOS, JR.



SEN. PANFILO M. LACSON



SEN. PIA S. CAYETANO



SEN. EDGARDO J. ANGARA
with amendment



SEN. MANNY VILLAR



SEN. RALPH G. RECTO

Ex-Officio Members:



SEN. ALAN PETER S. CAYETANO
Senate Minority Floor Leader



SEN. VICENTE C. SOTTO III
Senate Majority Floor Leader



JINGGOY EJERCITO-ESTRADA
Senate President-Pro Tempore

HON. JUAN PONCE ENRILE
Senate President
Senate of the Philippines
Pasay City

SENATE III

S. B. No. 3234

Prepared Jointly by the Committees on Justice and Human Rights, Social Justice, Welfare and Rural Development and Finance with Senators Ejercito-Estrada, Escudero, Defensor-Santiago, Revilla, Pangilinan and Drilon as authors thereof.

AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST
AND TO STRENGTHEN GOVERNMENT SERVICE AND SUPPORT
MECHANISMS FOR SENIORS

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

1 **SECTION 1. Short Title.** This Act shall be known as the “Seniors Safety and
2 **Service Act of 2012”.**

3
4 **SEC. 2. Purpose.** The purpose of this Act is to develop strategies for preventing
5 and punishing crimes that target or otherwise disproportionately affect seniors by
6 collecting appropriate data to measure the extent of crimes committed against seniors
7 and determine the extent of domestic and elder abuse. It likewise seeks to strengthen
8 existing services being accorded to senior citizens by the government.

9
10 **SEC. 3. Definition.** As used in this Act. -

11
12 (1) “Crime” means any criminal offense under the Revised Penal Code and
13 special laws; and

14
15 (2) “Senior” means an individual who is at least 60 years of age.

16
17 **SEC. 4. Study of Crimes Against Seniors. -**

18
19 (a) *In General* - The Department of Justice (DOJ), through the National Bureau of
20 Investigation (NBI) and the Department of Interior and Local Government
21 (DILG), through the Philippine National Police (PNP), shall conduct a study
22 relating to crimes against seniors in order to assist in developing new
23 strategies to prevent and otherwise reduce the incidence of these crimes.

1 (b) *Issues addressed* – The study conducted under this section shall include an
2 analysis of –

3
4 (1) the nature and type of crimes perpetrated against seniors with special
5 focus on:

6
7 (A) the most common type of crimes that affect seniors;

8 (B) the nature and extent of elder abuse inflicted upon seniors; and

9 (C) the nature and extent of health care fraud and abuse targeting seniors.
10

11 (2) the risk factors associated with seniors who have been victimized;

12
13 (3) the manner in which the criminal justice systems respond to crimes
14 against seniors;

15
16 (4) the feasibility of establishing and maintaining a centralized computer
17 database on the incidence of crimes against seniors that will promote the
18 uniform identification and reporting of such crimes;

19
20 (5) crimes targeting or disproportionately affecting seniors;

21
22 (6) crime risk factors for seniors, including the times and locations at which
23 crimes victimizing seniors are most likely to occur;

24
25 (7) specific characteristics of the victims of crimes who are seniors including
26 age, gender, race or ethnicity and socio-economic status;

27
28 (8) the nature and extent of crimes targeting seniors such as health care
29 fraud; and

30
31 (9) other effective ways to prevent or reduce the occurrence of crimes against
32 seniors.
33

34 (c) *Report.* – Not later than one (1) year after the effectivity of this Act, the DOJ
35 and the DILG shall submit to the House of Representatives and the Senate a
36 report describing the results of the study under this section. Thereafter, the
37 study and report shall be had on an annual basis.
38

39 **SEC. 5. *Enhanced Sentencing Penalties Based on Age of Victim.*** The DOJ, in
40 coordination with agencies of government concerned, shall:

41
42 (1) review existing sentencing guidelines and recommend the possibility of
43 increased penalties for persons convicted of offenses in which the victim
44 was a senior in appropriate circumstances, given the serious economic
45 and physical harms associated with criminal activities targeted at seniors
46 due to their particular vulnerability;

47
48 (2) consult with individuals or groups representing seniors, law enforcement
49 agencies, victims organizations and the judiciary as part of the review
50 described in this section;

1 (3) account for any aggravating or mitigating circumstances that may justify
2 exceptions in order to provide sentencing enhancements;
3

4 Not later than one (1) year after the effectivity of this Act, the DOJ shall
5 submit to Congress a report on issues relating to the age of crime victims, which shall
6 include any recommendations of the DOJ relating to any revision or modification of
7 penalty levels, including statutory penalty, for offenses involving seniors.
8

9 **SEC. 6. *Strengthening Government Service and Support Mechanisms.*** All
10 agencies of government, including local government units (LGUs) and government-
11 owned and controlled corporations (GOCCs) shall endeavor to strengthen all present
12 and existing service and support mechanisms to seniors. As such, the establishment
13 and enhancement of senior's desk in all government offices shall be mandatory by
14 utilizing similar facilities or resources devoted by such offices for the same purpose.
15

16 **SEC. 7. *Appropriations.*** The amount necessary for the initial implementation of
17 this Act shall be charged against the current year's appropriations of the DOJ.
18 Thereafter, such sums as may be necessary for the continued implementation of this Act
19 shall be included in the General Appropriations Act.
20

21 **SEC. 8. *Separability Clause.*** If any provision of this Act is declared invalid, the
22 remainder of this Act or any provision not affected thereby shall remain in force and
23 effect.

24 **SEC. 9. *Repealing Clause.*** All laws, orders, decrees, rules and regulations, and
25 other parts thereof inconsistent with the provisions of this Act are hereby repealed,
26 amended or modified accordingly.

27 **SEC 10. *Effectivity.*** This Act shall take effect fifteen (15) days following its
28 publication in the Official Gazette or at least (2) newspapers of general circulation.

Approved,