

Congress of the Philippines }
Fifth Regular Session

SENATE

S. No. 1435

INTRODUCED BY SENATOR ANGARA

AN ACT TO MAXIMIZE THE CONTRIBUTION OF THE ELDERLY 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. Declaration of Policies and Objectives.** - Pursuant
2 to Article XV, Section 4 of the Constitution, it is the duty of the family
3 to take care of its elderly members while the State may design programs
4 of social security for them. In addition to this, Section 10 in the
5 Declaration of Principles and State Policies provides: "The State shall
6 provide social justice in all phases of national development".
7 Further, Article XIII, Section 11 provides: "The State shall adopt an
8 integrated and comprehensive approach to health development which
9 shall endeavor to make essential goods, health and other social services
10 available to all the people at affordable cost. There shall be priority
11 for the needs of the underprivileged, sick, elderly, disabled, women
12 and children." Consonant with these Constitutional principles the
13 following are the declared policies of this Act:

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1 a) to motivate and encourage the elderly to contribute to nation
2 building;

3 b) to encourage their families and the communities they live with
4 to reaffirm the valued Filipino tradition of caring for the elderly;

5 In accordance with these policies, this Act aims to:

6 1) establish mechanisms whereby the contribution of the elderly
7 are maximized;

8 2) adopt measures whereby our elderly are assisted and appreci-
9 ated by the community as a whole;

10 3) establish a program beneficial to the elderly, their families
11 and the rest of the community that they serve.

12 *SEC. 2. Definition of Terms.* - As used in this Act, the term
13 "elderly" shall mean any resident citizen of the Philippines at least 60
14 years old, including those who have retired from both government
15 offices and private enterprises.

16 The term "benefactor" shall mean any person whether related to
17 the elderly or not who takes care of him/her as a dependent.

18 The term "head of the family" shall mean any person so defined
19 in the National Internal Revenue Code.

20 *SEC. 3. Contribution to the Community.* - Any qualified elderly
21 as determined by the Office for Elderly Affairs (OEA), may render his/
22 her services to the community which shall consist of, but not limited to,
23 any of the following:

24 a) tutorial and/or consultancy services;

25 b) actual teaching and demonstration of hobbies and income-

1 generating skills;

2 c) lectures on specialized fields like agriculture, health, environ-
3 mental protection and the like;

4 d) the transfer of new skills acquired by virtue of their training
5 mentioned in Section 4, paragraph (e);

6 e) undertaking other appropriate services as determined by
7 the Office for Elderly Affairs (OEA) such as school traffic guide, tourist
8 aid, pre-school assistant, etc.

9 In consideration of the services rendered by the qualified
10 elderly, the Office for Elderly Affairs (OEA) may award or grant
11 benefits or privileges to the elderly, in addition to the other privileges
12 provided for under Section 4 hereof.

13 **SEC. 4. Privileges for the Elderly.** - The elderly shall be entitled
14 to the following:

15 a) the grant of fifty percent (50%) discount from government
16 establishments relative to utilization of transportation services, hotels
17 and similar lodging establishments, restaurants and recreation centers
18 and purchase of medicine anywhere in the country;

19 b) the grant of thirty percent (30%) discount on the payment of
20 electric, water and telephone bills to the elderly who are heads of the
21 family;

22 c) the exemption from the payment of parking fees and their
23 provision of specifically designated spaces in parking areas anywhere in
24 the country;

25 d) exemption from the payment of individual income taxes,

1 provided that, their annual taxable income does not exceed the poverty
2 level as determined by the National Economic and Development
3 Authority (NEDA) for that year;

4 e) exemption from training fees for socioeconomic programs
5 undertaken by the OEA as part of its work;

6 f) free medical and dental services in government establishments
7 anywhere in the country, subject to guidelines to be issued by the
8 Department of Health, the Government Service Insurance System and
9 the Social Security System;

10 g) the continuance of the same benefits and privileges given
11 by the Government Service Insurance System (GSIS), Social Security
12 System (SSS) and PAG-IBIG, as the case may be, as are enjoyed by
13 those in actual service.

14 **SEC. 5. Government Assistance.** - The Government shall provide
15 the following assistance to those caring for the elderly:

16 a) The elderly shall be treated as dependents as provided for in
17 the National Internal Revenue Code and as such, individual taxpayers
18 caring for them, be they relatives or not shall be accorded the privileges
19 granted by the Code insofar as having dependents are concerned.

20 For the purpose of this paragraph, a certification from the barangay
21 captain attesting to the fact that the individual taxpayer is caring for
22 an elderly is necessary, regardless of whether the latter lives with the
23 benefactor or by himself/herself.

24 b) Individuals or non-governmental institutions establishing
25 homes, residential communities or retirement villages solely for the

1 elderly shall be accorded the following:

2 1) realty tax holiday for the first five years starting from the
3 first year of operation;

4 2) priority in the building and/or maintenance of provincial or
5 municipal roads leading to the aforesaid home, residential community
6 or retirement village.

7 **SEC. 6. Retirement Benefits.** - Retirement benefits from both the
8 government and the private sectors shall be upgraded to be at par with
9 the current scale enjoyed by those in actual service.

10 **SEC. 7. The Office for Elderly Affairs (OEA).** - There shall be
11 established in the Office of the Mayor an OEA to be headed by a
12 Councilor who shall be designated by the *Sangguniang Bayan* and
13 assisted by the Community Development Officer. The functions of this
14 office are:

15 a) to plan, implement and monitor yearly work programs in
16 pursuance of the aims and objectives of this Act;

17 b) to draw up a list of available and required services which can be
18 provided by the elderly;

19 c) to maintain and regularly update on a quarterly basis the list
20 of elderly citizens and to issue a nationally uniform individual identifi-
21 cation cards which shall be valid anywhere in the country;

22 d) to service as a general information and liaison center to serve
23 the needs of the elderly.

24 **SEC. 8. Municipal Responsibility.** - It shall be the responsibility
25 of the municipality through the Mayor to ensure that the provisions of

1 this Act are implemented to its fullest.

2 SEC. 9. *Penalties.* - Violation of any provision of this Act for
3 which no penalty is specifically provided under any other law, shall be
4 punished by imprisonment not exceeding one (1) month or a fine not
5 exceeding one thousand pesos (P1,000.00) or both.

6 SEC. 10. *Appropriation.* - The necessary budget for the operation
7 and maintenance of the OEA shall be charged against the funds for
8 development projects under the Internal Revenue Allotment of each
9 municipality, in an amount not lower than five percent (5%) nor higher
10 than ten percent (10%) of the Fund, as determined by the *Sangguniang*
11 *Bayan*.

12 SEC. 11. *Repealing Clause.* - All provisions of laws, orders,
13 decrees including rules and regulations inconsistent herewith are hereby
14 repealed and/or modified accordingly.

15 SEC. 12. *Separability Clause.* - If any part or provision of this
16 Act shall be held to be unconstitutional or invalid, other provisions
17 hereof which are not affected thereby shall continue to be in full force
18 and effect.

19 SEC. 13. *Effectivity.* - This Act shall take effect after fifteen (15)
20 days following its publication in the *Official Gazette* or in at least two
21 (2) national newspapers of general circulation.

Approved,