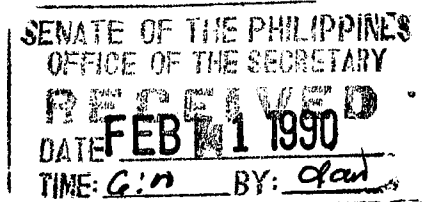


Congress of the Philippines)
Third Regular Session)



S E N A T E

S. No. 1435

Introduced by Senator Edgardo J. Angara

EXPLANATORY NOTE

Respect, love and care for our elders is a time-honored custom and undeniably one of the virtues we Filipinos have. Giving support to this is a specific Constitutional provision, Art. XV, Section 4 which provides:

"The family has the duty to care for its elderly members but the State may also do so through just programs of social security."

There must, however be a broader concept of the respect, love and care that should be given the elder citizens -- one that should enable them to continue the developmental contribution they had given their families, and communities they live with as well as the country as a whole during their productive years. We must realize that they are an untapped group whose efforts, experience and capabilities, if properly harnessed, could be a potent force in nation building. To treat them as if they were helpless and useless simply because of inadequate programs designed for them does not give them justice.

This bill therefore seeks to establish a mutually beneficial program for senior citizens, their relatives and the communities they live with. It also seeks to lighten the economic burden of those taking care of them so that respect, love and care for our elders would always remain a Filipino tradition.

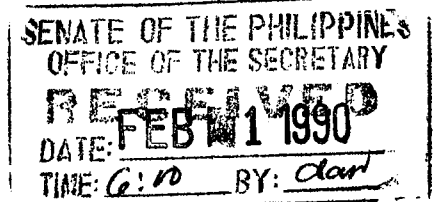
Early approval of this bill is earnestly requested.

Edgardo J. Angara
Edgardo J. Angara
Senator



Congress of the Philippines)
Third Regular Session)

S E N A T E
S. No. 1435



Introduced by Senator Edgardo J. 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 the House of Representatives of
the Philippines in Congress assembled.

SECTION 1. Declaration of Policies and Objectives -
Pursuant to Art. XV, Section 4 of the Constitution, it is the
duty of the family to take care of its elderly members while the
State may design programs of social security for them. In
addition to this, Sec. 10 in the Declaration of Principles and
State Policies provides: "The State shall provide social justice
in all phases of national development. Further, Art. XIII, Sec.
11 provides: "The State shall adopt an integrated and
comprehensive approach to health development which shall endeavor
to make essential goods, health and other social services
available to all the people at affordable cost. There shall be
priority for the needs of the underprivileged, sick, elderly,
disabled, women and children." Consonant with these
Constitutional principles the following are the declared policies
of this Act:

- a) to motivate and encourage the elderly to contribute to
nation building;
- b) to encourage their families and the communities they live
with to reaffirm the valued Filipino tradition of caring
for the elderly.

In accordance with these policies, this Act aims to:

- a) establish mechanisms whereby the contribution of the

elderly are maximized;

- b) adopt measures whereby our elderly are assisted and appreciated by the community as a whole;
- c) establish a program beneficial to the elderly, their families and the rest of the community that they serve.

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

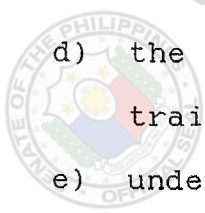
The term "benefactor" shall mean any person whether related to the elderly or not who takes care of him/her as a dependent.

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

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

- a) tutorial and/or consultancy services;
- b) actual teaching and demonstration of hobbies and income-generating skills;
- c) lectures on specialized fields like agriculture, health, environmental protection and the like;
- d) the transfer of new skills acquired by virtue of their training mentioned in Section 4, paragraph (e);
- e) undertaking other appropriate services as determined by the Office for Elderly Affairs (OEA) such as school traffic guide, tourist aid, pre-school assistant, etc..lml

In consideration of the services rendered by the qualified elderly, the Office for Elderly Affairs (OEA) may award or grant

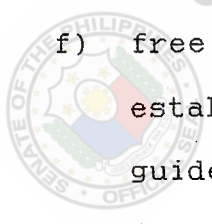


benefits or privileges to the elderly, in addition to the other privileges provided for under Section 4 hereof.

SECTION 4. Privileges for the Elderly - The elderly shall be entitled to the following:

- a) the grant of 50% discount from government establishments relative to utilization of transportation services, hotels and similar lodging establishments, restaurants and recreation centers and purchase of medicine anywhere in the country;
- b) the grant of 30% discount on the payment of electric, water and telephone bills to the elderly who are heads of the family;
- c) the exemption from the payment of parking fees and their provision of specifically designated spaces in parking areas anywhere in the country;
- d) exemption from the payment of individual income taxes, provided that, their annual taxable income does not exceed the poverty level as determined by the National Economic Development Authority (NEDA) for that year;
- e) exemption from training fees for socio-economic programs undertaken by the OEA as part of its work program;
- f) free medical and dental services in government establishments anywhere in the country, subject to guidelines to be issued by the Department of Health, the Government Service Insurance System and the Social Security System;
- g) the continuance of the same benefits and privileges given by the GSIS, SSS and Pag-ibig, as the case may be, as are enjoyed by those in actual service.

SECTION 5. Government Assistance - The Government shall



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provide the following assistance to those caring for the elderly:

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

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

- b) Individuals or non-governmental institutions establishing homes, residential communities or retirement villages solely for the elderly shall be accorded the following:

- 1) realty tax holiday for the first five years starting from the first year of operation;
- 2) priority in the building and/or maintenance of provincial or municipal roads leading to the aforesaid home, residential community or retirement village.

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

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

- a) to plan, implement and monitor yearly work programs in

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- pursuance of the aims and objectives of this Act;
- b) to draw up a list of available and required services which can be provided by the elderly;
 - c) to maintain and regularly update on a quarterly basis the list of elderly citizens and to issue a nationally uniform individual identification cards which shall be valid anywhere in the country;
 - d) to serve as a general information and liason center to serve the needs of the elderly.

SECTION 8. Municipal Responsibility - It shall be the responsibility of the municipality through the Mayor to ensure that the provisions of this Act are implemented to its fullest.

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

SECTION 10. Appropriation - The necessary budget for the operation and maintenance of the OEA shall be charged against the funds for development projects under the Internal Revenue Allotment of each municipality, in an amount not lower than 5% nor higher than 10 % of the Fund, as determined by the Sangguniang Bayan.

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

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

SECTION 13. Effectivity - This Act shall take effect

after fifteen (15) days following its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.

Senate Archives (LRAS)

