

[DSWD RESOLUTION SERIES OF 2010, June 18, 2010]

APPROVING AND ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZENS ACT OF 2010"

WHEREAS, the President signed into law on February 15, 2010 Republic Act No. 9994, known as An Act Granting Additional Benefits and Privileges to Senior Citizens, Further Amending 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. 9257 or the Expanded Senior Citizens Act of 2003;

WHEREAS, Section 9 of RA 9994 stipulates that the Secretary of the Department of Social Welfare and Development (DSWD) shall formulate and adopt amendments to the existing rules and regulations implementing RA 7432 as amended by RA 9257, in consultation and coordination with the respective heads of the following agencies and offices: Department of Health (DOH), Department of Trade and Industry (DTI), Department of Finance (DOF), Department of Transportation and Communications (DOTC), Department of Justice (DOJ), Department of Labor and Employment (DOLE), Department of Interior and Local Government (DILG), Department of Tourism (DOT), Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), National Economic and Development Authority (NEDA), Housing and Urban Development Coordinating Council (HUDCC), and five (5) non-government organizations (NGOs) or people's organizations (POs) for senior citizens duly accredited by the DSWD;

WHEREAS, the IRR is the product of several consultations and active participation of the different government agencies, business sector, NGOs, POs, and the senior citizens themselves;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to approve and adopt the Rules and Regulations Implementing RA No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010";

RESOLVED FURTHER, that these Implementing Rules and Regulations shall be published in two (2) newspapers of general circulation and filed with the Office of the National Administrative Register (ONAR), University of the Philippines Law Center as required under the Administrative Code of 1987.

DONE this 18th day of June in the year of our Lord, Two thousand and Ten in Batasan Pambansa, Quezon City

(SGD.) HON. CELIA CAPADOCIA-YANGCO

*Acting Secretary, Department of Social Welfare and Development
Chairperson*

(SGD.) HON. ESPERANZA I. CABRAL, M.D.
*Secretary
Department of Health*

(SGD.) HON. RONALDO V. PUNO
*Secretary
Department of Interior and Local
Government*

(SGD.) HON. ALBERTO C. AGRA
*Secretary
Department of Justice*

(SGD.) HON. MARGARITO B. TEVES
*Secretary
Department of Finance*

(SGD.) HON. JESLI A. LAPUS
*Secretary
Department of Trade and Industry*

(SGD.) HON. ANNELI R. LONTOC
*Acting Secretary
Department of Transportation and
Communications*

(SGD.) HON. MARIANITO D. ROQUE
*Secretary
Department of Labor and
Employment*

(SGD.) HON. JOSEPH H. DURANO
*Secretary
Department of Tourism*

(SGD.) HON. NOLI C. DE CASTRO
*Housing and Urban Development
Coordinating Council*

(SGD.) HON. PASTOR Z. GUIAO
*Secretary
Technical Education and Skills
Development Authority*

(SGD.) HON. MONA D. VALISNO
*Secretary
Department Education*

(SGD.) HON. EMMANUEL Y. ANGELES
*Chairperson
Commission on Higher Education*

(SGD.) HON. AUGUSTO B. SANTOS
*Director-General
Executive Director
National Economic and Development
Authority*

(SGD.) MR. FRANSISKUS KUPANG
Coalition of Services for the Elderly

(SGD.) MR. JOSE P. ORDOÑEZ, JR.
*National Secretary
Federation of Senior Citizens
Association of the Philippines*

(SGD.) MR. FELIPE A. HIDALGO, JR.
*President
Association of Retired Postal
Employees and Senior Citizens, Inc.*

(SGD.) SR. NIEVA MANZANO, DC
Louise de Marillac Foundation

**Implementing Rules and Regulations of Republic Act No. 9994, Also Known
as the "Expanded Senior Citizens Act of 2010," An Act Granting Additional
Benefits and Privileges to Senior Citizens, Further Amending Republic Act
No. 7432 of 1992 as Amended by Republic Act No. 9257 of 2003**

RULE I
TITLE, PURPOSE AND CONSTRUCTION

Article 1. Title. – These Rules shall be known and cited as the Implementing Rules and Regulations of Republic Act No. 9994, “Expanded Senior Citizens Act of 2010.”

Article 2. Purpose. – Pursuant to Section 9 of RA No. 9994 (hereinafter referred to as the Act), these Rules and Regulations are promulgated to prescribe the procedures and guidelines for its implementation, in order to facilitate compliance with the Act and to achieve its objectives.

Article 3. Construction. – These Rules shall be construed and applied in accordance with and in furtherance of the policies and objectives of the law. In case of conflict or ambiguity, the same shall be construed liberally and in favor of the senior citizens.

RULE II
DECLARATION OF POLICIES AND OBJECTIVES

Article 4. Declaration of Policies and Objectives. –

Section 1. As provided in the Constitution of the Philippines:

- a) It is the declared policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.
- b) It is further declared that the State shall promote social justice in all phases of national development and values the dignity of every human person and guarantees full respect for human rights.
- c) In all matters relating to the care, health, and benefits of the elderly, the State shall adopt an integrated and comprehensive approach to health development and social services available to all people at affordable costs giving priority for the needs of the underprivileged sick, elderly, disabled, women and children.
- d) Further, it is declared that though the family has the duty to take care for its elderly members, the State may also help through just programs of social security.

Section 2. Consonant with these constitutional policies and RA 9994, these Rules shall serve the following objectives:

- a) To recognize the rights of senior citizens to take their proper place in society and make them a concern of the family, community, and government;
- b) To give full support to the improvement of the total well-being of the elderly and their full participation as an integral part of Philippine society;
- c) To motivate and encourage the senior citizens to contribute to nation

building;

d) To encourage their families and the communities they live in to reaffirm and apply the valued Filipino traditions of caring for the senior citizens;

e) To provide a comprehensive health care and rehabilitation system for senior citizens with disability to foster their capacity to attain a more meaningful and productive ageing; and

f) To recognize the important role of the private and the non-government sector in the improvement of the welfare of senior citizens and to actively seek their partnership.

Section 3. In conformity with these objectives, these Rules shall:

a) Establish mechanisms whereby the contributions of the senior citizens are maximized;

b) Adopt measures whereby our senior citizens are assisted and appreciated by the community as a whole;

c) Establish programs beneficial to the senior citizens, their families and the rest of the community that they serve; and

d) Establish community-based health and rehabilitation programs in every political unit of society.

RULE III DEFINITION OF TERMS

Article 5. Definition of Terms. – For purposes of these Rules, the terms are defined as follows:

5.1 SENIOR CITIZEN OR ELDERLY – refers to any Filipino citizen who is a resident of the Philippines, and who is sixty (60) years old or above. It may apply to senior citizens with “dual citizenship” status provided they prove their Filipino citizenship and have at least six (6) months residency in the Philippines.

5.2 BENEFACTOR – refers to any person whether related or not to the senior citizen who provides care or who gives any form of assistance to him/her, and on whom the senior citizen is dependent on for primary care and material support, as certified by the City or Municipal Social Welfare and Development Officer (C/ MSWDO).

5.3 GERIATRICS - refers to the branch of medical science devoted to the study, management and treatment of the biological and physical changes, and the diseases of old age.

5.4 GERONTOLOGY - is the scientific study of the biological, psychological, and sociological phenomena associated with old age and ageing and in determining answers about the normal aging process rather than the diseases of old age. It is also the scientific study of the

processes of aging from many disciplines, including social work, anthropology, biology, history, sociology, psychology, and demography.

5.5 IDENTIFICATION DOCUMENT – refers to any document or proof of being a senior citizen which may be used for the availment of benefits and privileges under the Act and its Rules. It shall be any of the following:

- a) Senior Citizens' Identification Card issued by the Office of Senior Citizens Affairs (OSCA) in the city or municipality where the elderly resides;
- b) The Philippine passport of the elderly person or senior citizen concerned; and
- c) Other valid documents that establish the senior citizen or elderly person as a citizen of the Republic and at least sixty (60) years of age, which shall include but not be limited to the following government-issued identification documents indicating an elderly's birthdate or age: driver's license, voters ID, SSS/GSIS ID, PRC card, postal ID.

5.6 LODGING ESTABLISHMENT – refers to a building, edifice, structure, apartment, or house including tourist inn, apartelle, motorist hotel, and pension house engaged in catering, leasing, or providing facilities to transients, tourists, or travelers, duly licensed with business permit and/or franchised by the national government agencies or the local government units.

5.7 HOTEL/HOSTEL – refers to an establishment whose building, edifice or premises, including a completely independent part thereof such as cottages, cabanas, or huts, are used for the regular reception, accommodation or lodging of travelers, tourists, or vacationers, and provides other services incidental thereto for a fee;

5.8 RESTAURANT – refers to any establishment duly licensed and with business permits issued by the local government units, offering to the public, regular and special meals or menu, fast food, cooked food and short orders. Such eating- places may also serve coffee, beverages and drinks. This covers Quick-Service Restaurants or QSRs, Casual Dining and Fine Dining Restaurants as defined below:

- a) **QUICK SERVICE RESTAURANTS**, or fast-food chains, refer to restaurants with multiple branches that have menu boards where food item choices are listed. Customers place their orders with the cashier and pay right after their orders are taken.
- b) **CASUAL and FINE DINING RESTAURANTS**– are restaurants where customers are seated first before their food orders are taken by waiters. They are served at their tables and pay only after they have consumed their meals.