

[DSWD RESOLUTION, May 28, 2004]

APPROVING AND ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9257, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZENS ACT OF 2003"

WHEREAS, the President signed into law on February 26, 2004 Republic Act No. 9257, known as an Act Granting Additional Benefits and Privileges to Senior Citizens 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";

WHEREAS, Section 12 stipulates that the Secretary of Department of Social Welfare and Development (DSWD) shall promulgate the Implementing Rules and Regulations in consultation and coordination with the following agencies and offices: Secretary of Department of Health (DOH), Secretary, Department of Labor and Employment (DOLE), Secretary, Department of Education (DepEd), Secretary, Department of Transportation and Communications (DOTC), Secretary, Department of Justice (DOJ), Secretary, Department of Interior and Local Government (DILG), Secretary, Department of Finance (DOF), Commissioner, Commission on Higher Education (CHED), Director-General, Technical Education and Skills Development Authority (TESDA), Director-General, National Economic and Development Authority (NEDA), Chairman, Housing and Urban Development Coordinating Council (HUDCC), and five (5) Non-Government Organizations or People's Organizations for the senior citizens duly accredited by the DSWD;

WHEREAS, this IRR is the product of several consultations and active participation of the different government agencies, business sector, non-government organizations (NGOs), people's organizations (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. 9257, otherwise known as the "Expanded Senior Citizens Act of 2003";

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

Adopted: 28 May 2004

(SGD.) HON. CORAZON JULIANO-SOLIMAN
Secretary, Department of Social Welfare and Development
Chairperson

(SGD.) HON. MANUEL M. DAYRIT <i>Secretary, Department of Health</i>	(SGD.) HON. PATRICIA A. STO. TOMAS <i>Secretary, Department of Labor and Employment</i>
(SGD.) HON. EDILBERTO C. DE JESUS <i>Secretary, Department of Education</i>	(SGD.) HON. LEANDRO C. MENDOZA <i>Secretary, Department of Transportation and Communication</i>
(SGD.) HON. MA. MERCEDITAS N. GUTIERREZ <i>Secretary, Department of Justice</i>	(SGD.) HON. JOSE D. LINA, JR. <i>Secretary, Department of Interior and Local Government</i>
(SGD.) HON. CESAR V. PURISIMA <i>Secretary, Department of Trade and Industry</i>	(SGD.) HON. JUANITA D. AMATONG <i>Secretary, Department of Finance</i>
(SGD.) HON. BRO. ROLANDO R. DIZON <i>Commissioner, Commission on Higher Education</i>	(SGD.) HON. ALCESTIS M. GUIANG <i>Director General, Technical Education and Skills Development Authority</i>
(SGD.) HON. ROMULO R. NERI <i>Director General, National Economic Development Authority</i>	(SGD.) HON. MICHAEL T. DEFENSOR <i>Secretary, Housing and Urban Development and Coordinating Council</i>
(SGD.) MS. MARIA SOCORRO S. SUERO <i>Executive Director, Coalition of Services for the Elderly</i>	(SGD.) SR. NIEVA MANZANO, DC <i>Executive Director, Louise De Matillac</i>
(SGD.) JOSEFINA V. CABIGON <i>President, Coalition of Older Persons Organization</i>	(SGD.) MR. BIENVENIDO L. RANOLA <i>President, Association of Postal Employees Organization</i>
(SGD.) MR. REMIGIO A. REYES <i>National President, Federation of Senior Citizens Association of the Philippines (Fscap)</i>	

Rules and Regulations Implementing Republic Act No. 9257, An Act Granting Additional Benefits and Privileges to Senior Citizens 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

Pursuant to Section 12 of Republic Act No. 9257 otherwise known as "Expanded Senior Citizens Act of 2003", the following Rules and Regulations are hereby promulgated to implement the provisions of said Act.

**RULE 1
TITLE, PURPOSE AND CONSTRUCTION**

Article 1. Title - These Rules shall be known and cited as the Rules and Regulations Implementing Republic Act No. 9257, An Act Granting Additional Benefits and Privileges to Senior Citizens 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" also known as "Expanded Senior Citizens Act of 2003", hereinafter referred to as the Act.

Article 2. Purpose - These Rules are promulgated to prescribe the procedures and guidelines for the implementation of RA No. 9257 in order to facilitate compliance herewith and to achieve the objectives thereof.

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, which may arise in the implementation of these Rules, the concerned agencies shall issue the necessary clarification. In case of doubt, the same shall be construed liberally and in favor of the beneficiaries.

**Rule II
DECLARATION OF POLICIES AND OBJECTIVES**

Article 4. Declaration of Policies and Objectives - Pursuant to Article 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, Section 10 in the Declaration of Principles and State Policies provides: "The State shall provide social justice in all phases of national development". Further, Article XIII, Section 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".

SECTION 1. Policies - Consonant with these constitutional principles the following are the declared policies of the Act:

- a. To motivate and encourage the senior citizens to contribute to nation building;
- b. To encourage their families and the communities they live with to reaffirm the valued Filipino traditions of caring for the senior citizens;
- c. To give full support to the improvement of the total well-being of the elderly and their full participation in society considering that senior citizens are integral part of Philippine society;
- d. To recognize the rights of senior citizens to take their proper place in society. This must be the concern of the family, community, and government;
- e. To provide a comprehensive health care and rehabilitation system for disabled senior citizens to foster their capacity to attain a more meaningful and productive ageing; and
- f. To recognize the important role of the private sector in the improvement of the welfare of senior citizens and to actively seek their partnership.

SECTION 2. Objectives - In accordance with these policies, the Act aims to:

- a. Establish mechanisms whereby the contribution 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 a program 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 and Regulations, these terms are defined as follows:

5.1 SENIOR CITIZEN OR ELDERLY - refers to any resident citizen of the Philippines at least sixty (60) years old.

5.2 BENEFACTOR - refers to any person whether related to the senior citizen or not who takes care of him/her as a

dependent.

5.3 HEAD OF THE FAMILY - shall mean any person so defined in the National Internal Revenue Code, as amended.

5.4 GERIATICS - refers to the branch of medical science devoted to the study of the biological and physical changes and the diseases of old age;

5.5 IDENTIFICATION DOCUMENT - refers to any document or proof of being a senior citizen which shall be used for the availment of benefits and privileges under the law, such as the following:

- a. Identification card issued by the City or Municipal Mayor/Office of Senior Citizens Affairs (OSCA) or of the barangay captain of the place where the senior citizen or the elderly resides;
- b. The passport of the elderly person or senior citizen concerned; and
- c. Other documents that establish the senior citizen or elderly person is a citizen of the Republic and who is at least sixty (60) years of age.

5.6 ESTABLISHMENT - refers to any entity, public or private, duly licensed and/or franchised by the national government agencies or the local government units.

5.7 HOTEL/HOSTEL - refers to the building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travelers and tourists and the provision of services incidental thereto for a fee.

5.8 LODGING ESTABLISHMENT - refers to any of the following:

- a. TOURIST INN - refers to lodging establishment catering to transients, which does not meet the minimum requirement of an economy hotel.
- b. APARTEL - refers to building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourists and travelers for dwelling on a more or less long-term basis and offering basic services to its tenants, similar to hotels.
- c. MOTORIST HOTEL - refers to any structure with several separate units, primarily located along the