

[LRTA, April 03, 1993]

RULES AND REGULATIONS IN THE IMPLEMENTATION OF RA 7432, THE ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES

Rule I

Title, Purpose and Construction

Article 1. Title — These Rules shall be known and cited as the Rules and Regulations implementing the Act to Maximize the Contribution of Senior Citizens to Nation Building Grant Benefits and Special Privileges and for Other Purposes.

Article 2. Purpose — These Rules are promulgated to prescribe the procedures and guidelines for the implementation of the Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for Other Purposes in order to facilitate the compliance therewith and to achieve the objectives thereof.

Article 3. Construction — These Rules shall be construed and applied in accordance with and in furtherance of the policy and objectives of the law. In case of conflict and 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, Scope and Application

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." Consonant to these constitutional principles, the following are the declared policies of this Act.

- (a) To motivate and encourage senior citizens 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 senior citizens;

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.

Article 5. Definition of Terms — As used in these rules, the following form shall be defined as follows:

5.1 **Senior Citizen** Any resident citizen of the Philippines, at least sixty (60) years old, including those who have retired from both government offices and private enterprises and have an income of not more than sixty thousand pesos (P60,000.00) per annum subject to review by the National Statistics Coordination Board (NSCB) every three (3) years.

Senior Citizens earning sixty thousand pesos (P60,000.00) per annum may be tapped as resource persons to provide transfer of technology and consultancy services or other services in the community. Those without income are necessarily covered by this definition.

5.2 **Resident Citizen** refers to a Filipino Citizen who establishes to the satisfaction of the Office for Senior Citizens Affairs (OSCA) the fact of his physical presence in the Philippines for at least 183 days with a definite intention to reside therein.

5.3 **Benefactor** shall mean any person whether related to the senior citizen or not who takes care of him or her as dependent.

5.4 **Head of the Family** shall mean an unmarried or legally separated man or woman with one or both parents or with one or more brothers or sisters or with one or more legitimate, recognized, natural or legally adopted children or with one or more senior citizen living with and dependent upon him for their chief support where brother/s or sister/s or children are not more than twenty one (21) years of age, unmarried and not gainfully employed or where such children, brother/s or sister/s, regardless of age are incapable of self-support because of mental or physical defect.

5.5 **National Identification Cards** are the ID cards provided for initially for free by the Department of Social Welfare and Development and issued through the Office for Senior Citizens Affairs (OSCA).

5.6 **Office for Senior Citizens Affairs** otherwise known as the OSCA shall be established in the Office of the Mayor as prescribed in the Act.

5.7 **Department of Social Welfare and Development** otherwise known as DSWD in this rule, shall mean the national office located at Batasan Complex, Quezon City and its field offices in the fourteen regions of the country.

5.8 **Municipal/City Federation of Senior Citizens** an organization of senior citizens in the locality which is affiliated with the National Federation of Senior Citizens' Associations of the Philippines (NFSCAP). In the absence of such organization, any organization of senior citizens in the locality duly accredited by the Sangguniang Bayan/Panglungsod.

5.9 **Air Transportation Service** shall mean as the carriage of passenger by air.

5.10 **Hotel** shall mean the building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation, or lodging of travellers and tourists and the provision of services incidental thereto for a fee.

5.11 **Lodging Establishment** shall mean any of the following:

- a. Tourist Inn A lodging establishment catering to transients which does not meet the minimum requirement of an economy hotel.
- b. Apartel Any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourists and travellers for dwelling on a more or less long-term basis and offering basic services to its tenants, similar to hotels.
- c. Motorist Hotel Any structure with several separate units, primarily located along the highway with individual or common parking space, at which motorists may obtain lodging and in some instances, meals.
- d. Pension House A private, or family-operated tourist boarding house, tourist guest house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourist, or travellers, containing several independent lettable rooms, providing common facilities such as toilets, bathrooms/showers, living and dining rooms or kitchen and where a combination of board and lodging may be provided.

The term **lodging establishment** shall include lodging houses which shall mean such establishments as are regularly engaged in the hotel business, but which, nevertheless, are not registered, classified and licensed as hotels by reason of inadequate essential facilities and services.

5.12 **Restaurant** shall mean any establishment, duly licensed by the local government units (LGUs), offering to the public, regular and special meals or menu, cooked food and short orders. Such eating places may also serve coffee, beverages and drinks.

Rule III

Creation of the Office of Senior Citizens Affairs

Article 6. Office for Senior Citizens Affairs (OSCA) — There shall be established in the Office of the Mayor an OSCA to be headed by a councilor who shall be

designated by the Sangguniang Bayan/Panglungsod in coordination with the Department of Social Welfare and Development (DSWD) and the Municipal/City Federation of Senior Citizens.

Article 7. The Functions of OSCA — The OSCA shall perform the following functions:

- (a) plan, implement, and monitor yearly work programs in pursuance of the objectives of this Act;
- (b) mobilize the different local agencies to identify activities within their programs which can be undertaken by the senior citizens;
- (c) draw up a list of available and required services which can be provided by the senior citizens;
- (d) maintain a regular update on a quarterly basis a list of senior citizens;

The regular quarterly update of the list of senior citizens shall be made on the first week of the first month of every quarter.

- (e) issue nationally uniform individual identification cards which shall be valid any-where in the country;

It shall be the responsibility of the local Social Welfare Development Officer or any other officer performing such functions to review and process all applications.

- (f) serve as a general information and liaison center to respond to the needs of the senior citizens, the OSCA shall:

- f.1 assist any complainant or aggrieved senior citizen in filing the appropriate action with the Office of the Public Prosecutor or with the concerned Agency/Department until the same is finally terminated or resolved, and;
- f.2 assist the National Government in putting up the necessary appropriate notices of the mandatory elderly discount privileges/benefits under RA 7432 which shall be posted at a conspicuous place in all establishments.

This shall be made as a requirement in the renewal of business licenses annually.

The Municipal/City Federations of Senior Citizens shall assist OSCA in the foregoing functions.

Article 8. The Functions of DSWD — The DSWD shall perform the following functions:

- 8.1 provide the initial nationally uniform identification cards which shall be issued through the OSCA.

The nationally uniform individual identification cards shall contain the following information:

- (a) Control Number, Date of Issue
- (b) Name
- (c) Address
- (d) Age, as supported by a certified birth certificate from the Office of Civil Registrar; Birthdate
- (e) Annual income, as supported by a certificate of exemption from payment of income tax issued by the local office of the Bureau of Internal Revenue (BIR)
- (f) Picture
- (g) Signature of senior citizen

A senior citizen whose income is P60,000.00 and below annually shall be issued a national ID card which contains the mandatory elderly discount privileges/benefits under RA 7432.

This shall be duly signed by the mayor of the senior citizen's locality, the Secretary of the Department of Social Welfare and Development (DSWD) and the Secretary of the Department of Interior and Local Government (DILG). This shall be non-transferable.

8.2 to assist in developing the standards of programs and services of OSCA.

8.3 to provide technical assistance and monitor services and projects to be undertaken by the OSCA.

Rule IV

Contributions in the Community

Article 9. Contributions of Senior Citizens to the Community — Any qualified senior citizen as determined by the OSCA may render his/her services to the community which shall consist of, but not be limited to any of the following:

- a. tutorial or consultancy services;
- b. actual teaching and demonstration of hobbies and income generating skills;
- c. lectures in specialized field like agriculture, health, environmental protection;
- d. transfer of new skill acquired by virtue of their training mentioned in Section 4 of paragraph (d) of the Act;
- e. undertake other appropriate services as determined by the OSCA such as school traffic guide, tourist aide, pre-school assistance, etc.

In consideration of services rendered by the qualified elderly, the OSCA may award or grant benefits/privileges to the elderly, in addition to the other privileges provided for under Section 4 of the Act.

In the absence of resources, OSCA shall mobilize resources of the community to provide awards or incentives.