

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
FIFTEENTH CONGRESS
THIRD REGULAR SESSION

HOUSE BILL NO. 6690



INTRODUCED BY REPRESENTATIVE MARIA EVITA R. ARAGO

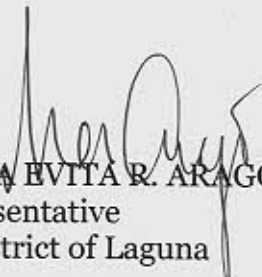
EXPLANATORY NOTE

Section 5, Article 2 of the Constitutions states:

“The maintenance of peace and order, the protection of life, liberty and property and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.”

One of the most vulnerable sector in our society is that of the elderly. They are prone to abuse and become the subject of crimes against their persons and property. This bill seeks to develop a comprehensive process and strategy for the prevention of crimes against senior citizens by reason of their vulnerability and old age. The report, data and recommendations that will be gathered concerning the crimes committed against the elderly will be invaluable in enhancing the protection of our senior citizens.

Passage of this bill is earnestly sought.


MARIA EVITA R. ARAGO
Representative
3rd District of Laguna

House of Representatives

H.B. No. 6690

Introduced by Representative Maria Evita R. Arago

AN ACT
TO COMBAT ABUSE AGAINST SENIOR CITIZENS AND ENHANCE PENALTIES
THEREOF, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. *Short Title.* – This Act shall be known as the “Senior Citizen’s Safety Act.”

Section 2. *Purpose.* - The purpose of this Act is to develop strategies for preventing and punishing crimes that target or otherwise disproportionately affect seniors by collecting appropriate data to measure the extent of crimes committed against seniors and to determine the extent of domestic and abuse of seniors.

Section 3. *Definition of Terms.* – For the purpose of this Act, the following terms shall be defined as:

- (A) “Crime” means any criminal offense as defined under the Revised Penal Code and special laws;
- (B) “Senior Citizen” means a resident citizen of the Philippines at least sixty (60) years of age;
- (C) “Secretary” means the Secretary of Justice

Section 4. *Study of Crimes against Senior Citizens.*

(A) *In General* - The Secretary of Justice shall conduct a study relating to crimes against seniors in order to assist in developing new strategies to prevent and otherwise reduce the incidence of crimes of these nature.

(B) *Issues Addressed.* - The study conducted under this section shall include an analysis of the following:

- (1) The nature and type of crimes perpetrated against seniors, with focus on:
 - (a) The most common types of crimes that affect seniors;
 - (b) The nature and extent of elder abuse inflicted upon seniors;
 - (c) The nature and extent of health care fraud and abuse targeting seniors;
- (2) The risk factors associated with seniors who have been victimized;
- (3) The manner in which the criminal justice respond to crimes against seniors;
- (4) The feasibility of establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;
- (5) Crimes targeting or disproportionately affecting seniors;
- (6) Crime risk factors for seniors, including the times and locations at which crimes victimizing senior citizens are most likely to occur;
- (7) The nature and extent of crimes targeting senior citizens, such as health care fraud; and

(8) Other effective ways to prevent or reduce the occurrence of crimes against senior citizens.

(C) *Report* – Not later than eighteen (18) months after the date of enactment of this Act the Secretary shall submit to the House of Representatives and the Senate a report on the results of the study under this section.

Section 5. *Increased Penalties Based on the Age of the Victim.* - The Department of Justice shall:

(A) Review existing guidelines on sentencing and recommend the possibility of increased penalties for persons convicted of offenses in which the victim was a senior citizen in appropriate circumstances, given the serious economic and physical harms associated with criminal activity targeted at senior citizens because of their particular vulnerability;

(B) Consult with individuals or groups representing senior citizens, law enforcement agencies, victims organizations, and the judiciary, as part of the review described in this section;

(C) Account for any aggravating or mitigating circumstances that may justify exceptions in order to provide sentencing enhancements;

Not later than one (1) year after the promulgation of this Act, the departments shall submit to Congress a report on issues relating to the age of crime victims, which shall include any recommendations of the department relating to any revision or modification of penalty levels, including statutory penalty, for offenses involving senior citizens.

Section 7. Separability Clause. If, for any reason, any part or provision of this Act shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 8. Repealing Clause. All laws, decrees, Executive Orders and Republic Acts inconsistent herewith are hereby deemed repealed.

Section 9. Effectivity. This Act shall take effect fifteen days (15) days following its publication in at least two (2) newspapers of general circulation or the Official Gazette.

Approved,