

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 639



Introduced by CHRISTOPHER S. CO and RODEL M. BATOCABE

EXPLANATORY NOTE

This bill seeks to provide free legal assistance to all senior citizens in all civil or criminal cases filed against him, thereby amending Republic Act no. 7432, as amended by Republic Act no. 9994, otherwise known as the "Expanded Senior Citizens Act of 2003".

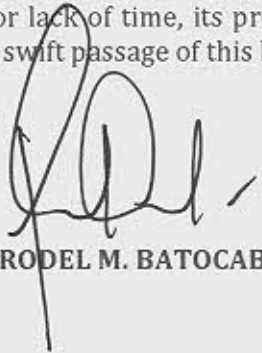
As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life. In the Declaration of Principles and State Policies in Article II, Sections 10 and 11, it is further declared that the State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights.

Article XIII, Section 11 of the Constitution provides that 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. Article XV, Section 4 of the Constitution Further declares that 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.

This bill recognizes the need of senior citizens to be provided free legal services, in the pursuance of the objectives of the Expanded Senior Citizens Act to recognize the rights of senior citizens to take their proper place in society and make it a concern of the family, community, and government, and to adopt measures whereby our senior citizens are assisted and appreciated by the community as a whole

The bill was filed in the 15th Congress but for lack of time, its progress was halted at the committee level. In light of all these circumstances, the swift passage of this bill is earnestly sought.


CHRISTOPHER S. CO


RODEL M. BATOCABE

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AN ACT PROVIDING FOR FREE LEGAL ASSISTANCE FOR SENIOR CITIZENS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7342, AS AMENDED BY REPUBLIC ACT NO. 9994, OTHERWISE KNOWN AS "AN ACT TO MAXIMIZE THE CONTRIBUTION OF SENIOR CITIZENS TO NATION BUILDING, GRANT BENEFITS AND SPECIAL PRIVILEGES AND FOR OTHER PURPOSES"

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

SECTION 1. Section 4 of Republic Act no. 7432, as amended by Republic Act no. 9994, otherwise known as the "Expanded Senior Citizens Act of 2003" is hereby further amended by inserting a new subparagraph (m), to read as follows:

Sec. 4. Privileges for Senior Citizens. – The senior citizens shall be entitled to the following:

x x x

(m) free legal services, including acceptance and appearance fees, in all criminal, quasi-judicial or administrative cases filed against senior citizens, except necessary and actual expenses incurred, such as, but not limited to, photocopying and messengerial services, and contingency fees not exceeding twenty percent (20%) of the amount awarded and actually recovered in said case, *provided further*, that the following controversies or cases shall not be covered by the privilege under this provision:

- 1) any information filed against a senior citizen for commission of crimes involving moral turpitude;
- 2) any violation of Republic Act no. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act, and other cases cognizable by, pending before, or originating from the Sandiganbayan;
- 3) intra-corporate disputes; and
- 4) any case filed in accordance with the Family Code, *except*, in cases of guardianship.

SECTION 2. **Separability Clause.** - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 3. **Repealing Clause.** - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 2. **Effectivity.** This Act shall take effect fifteen (15) days in at least one (1) newspaper of general circulation.

Approved.