



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
Second Regular Session

HOUSE BILL NO. **903**



Introduced by Honorable Carlos M. Padilla

EXPLANATORY NOTE

This bill seeks to provide protection for senior citizens against violence.

Section 11, Article 11 of the 1987 Constitution provides:

“The State values the dignity of every human person and guarantees full respect for human rights.”

Senior citizens are integral part of society. Their valuable contribution and participation in nation building cannot be overemphasized. Moreover, as a valued Filipino tradition, the families and communities where they live are expected to uphold the rights and well-being of senior citizens by taking care of them and giving them full respect and support.

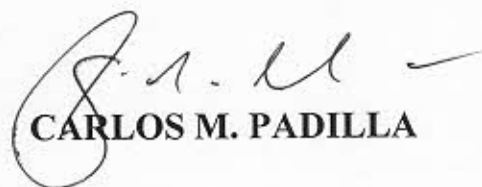
At present, senior citizens face a significant and alarming struggle against violence. Due to their age, weakness and dependence for help, care and support, they are vulnerable to abuse. Recently, a video clip shows an elderly woman being beaten in a bus station by a person believed to be her own son. In that video shown on national television, the old woman cried and screamed for help but no one dared to render assistance and rescue the victim from the situation.

This kind of abuse is a serious offense because the victim is a senior citizen. Senior citizens who are victims of violence are reluctant to file a complaint against their abusers because the perpetrators are their relatives or persons whom they depend on for care and support, hence, they are defenseless and they suffer in silence.

This proposed measure seeks to protect the senior citizens from all kinds of abuse by prescribing penalties for all kinds of violence such as physical, sexual, psychological and economic, that may be committed against them. Under this bill, violence against senior citizen is considered as a public crime, hence, any person having personal knowledge of the circumstances may file a complaint against the perpetrator. Under the proposed measure, the victim may file for protection orders to shield themselves from further abuse. The offended party or another person, on behalf of the offended party may file for the issuance of Barangay Protection Order which can be immediately acted upon by barangay officials. Furthermore, this bill provides support and assistance programs for the victims such as legal and medical assistance. It also enumerates other rights and remedies which may be availed of by the victim from the different agencies of the government.

This proposed bill will promote the welfare of the senior citizens and will protect their rights to have a peaceful, positive and dignified life in their twilight years.

In view of the foregoing, approval of this bill is earnestly sought.


CARLOS M. PADILLA



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HOUSE BILL NO. **5903**

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AN ACT

**DEFINING VIOLENCE AGAINST SENIOR CITIZENS, PROVIDING
PROTECTIVE MEASURES AND PRESCRIBING PENALTIES
THEREFOR**

*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 “*Anti-*

Violence Against Senior Citizens Act.”

SEC. 2. *Declaration of Policy.* – The State values the dignity and full
respect for the human rights of senior citizens and recognizes the need to protect
them from violence and threats to their personal safety and security.

Towards this end, the State shall exert efforts to address violence committed
against senior citizens in keeping with the fundamental freedoms guaranteed under
the Constitution and the provisions of the International Human Rights Status of
Elderly Persons, the Universal Declaration of Human Rights, the United Nations

1 Convention on the Rights of the Elderly and other international human rights
2 instruments of which the Philippines is a party.

3 SEC. 3. **Definition of Terms.** – As used in this Act:

4 a) *Economic abuse* refers to acts that make or attempt to make the senior
5 citizen financially dependent such as deprivation of the financial assistance and
6 support services;

7 b) *Physical violence* refers to a bodily or physical harm inflicted to a
8 senior citizen;

9 d) *Psychological violence* refers to acts or omissions causing or likely to
10 cause mental or emotional suffering of the senior citizen such as intimidation,
11 harassment, and damage to property;

12 e) *Senior citizen* refers to any resident citizen of the Philippines who is at
13 least sixty (60) years old; and

14 f) *Sexual violence* refers to acts causing the senior citizen to engage in
15 any sexual activity by force, threat of force, or intimidation.

16 SEC. 4. **Violence Against Senior Citizens.** –Violence against senior
17 citizens is committed by any person through a single, or repeated act, or lack of
18 appropriate action, occurring within any relationship where there is an expectation
19 of trust which causes harm or distress to a senior citizen. It includes physical,
20 psychological or sexual violence or economic abuse.

1 For purposes of this Act, *expectation of trust* exists in a relationship between
2 a senior citizen and a person whom the senior citizen knows and relies on for help,
3 protection, care or services such as spouse or partner, family member, neighbor or
4 caregiver.

5 SEC. 5. *Acts of Violence Against Senior Citizens* – Violence against
6 senior citizens is committed through any of the following acts:

- 7 a) Causing physical harm to the senior citizen;
- 8 b) Threatening to cause the senior citizen physical harm;
- 9 c) Attempting to cause the senior citizen physical harm;
- 10 d) Placing the senior citizen in fear of imminent physical harm; and
- 11 e) Attempting to compel or compelling a senior citizen to engage in
12 conduct which the senior citizen has the right to desist from or to desist from
13 conduct which the senior citizen has the right to engage in, or attempting to restrict
14 or restricting the freedom of movement or conduct by force or threat of force,
15 physical or other harm or threat of physical or other harm, or intimidation directed
16 against the senior citizen. This includes, but not limited to, the following acts
17 committed with the purpose or effect of controlling or restricting the movement or
18 conduct of the senior citizen:

- 19 1. Threatening to deprive or actually depriving the senior citizen of
20 the right to a family's visit or access to the family;

1 2. Depriving or threatening to deprive a senior citizen of financial
2 support;

3 3. Depriving or threatening the senior citizen of a legal right;

4 4. Preventing the senior citizen or person to engage in any
5 legitimate profession, occupation, business or activity or controlling the
6 money or properties of the senior citizen except in cases wherein the
7 objection is on valid, serious and moral grounds;

8 f) Causing or attempting to cause the senior citizen to engage in any
9 sexual activity which does not constitute rape, by force or threat of force, physical
10 harm, or through intimidation;

11 g) Engaging in purposeful, knowing, or reckless conduct, personally or
12 through another that alarms or causes substantial emotional or psychological stress
13 to the senior citizen which includes the following:

14 1. Entering or remaining in the dwelling or on the property owned
15 by the senior citizen;

16 2. Destroying the property or personal belongings, or inflicting
17 harm to animals or pets of the senior citizen;

18 3. Depriving the senior citizen of financial resources or the right to
19 use and enjoy the property owned; and

20 h) Causing mental or emotional anguish, public ridicule or humiliation to
21 the senior citizen including repeated verbal and emotional abuse.

1 SEC. 6. *Penalties.* – Acts of violence committed against senior citizen
2 provided under Section 5 of this Act are penalized as follows:

3 a) Acts falling under Section 5 (a) constituting attempted, frustrated and
4 consummated murder or homicide shall be punished in accordance with the
5 provisions of the Revised Penal Code. Likewise, if these acts resulted in mutilation,
6 it shall be punishable under the Revised Penal Code.

7 b) Acts falling under Section 5 (a) constituting serious physical injuries and
8 those acts falling under Sections 5 (f) to 5 (h) shall be punished by imprisonment of
9 not less than six (6) years but not more than twelve (12) years.

10 c) Acts falling under Section 5 (a) constituting less serious physical injuries
11 and those acts falling under Section 5 (e) shall be punished by imprisonment of not
12 less than six (6) months but not more than six (6) years.

13 d) Acts falling under Section 5 (a) constituting slight physical injuries and
14 those acts falling under Sections 5 (b) to 5 (d) shall be punished by imprisonment of
15 one (1) month but not more than six (6) months.

16 In addition to imprisonment, the perpetrator shall pay a fine in the amount
17 of not less than One hundred thousand pesos (P100,000.00) but not more than Three
18 hundred thousand pesos (P300,000.00) and shall undergo mandatory psychological
19 counseling or psychiatric treatment and shall report compliance to the court.

20 SEC. 7. *Venue.* – The regional trial court shall have original and
21 exclusive jurisdiction over cases of violence committed against the senior citizen

1 under this Act. The case shall be filed in the regional trial court where the crime or
2 any of its elements was committed at the option of the complainant.

3 SEC. 8. ***Protection Orders.*** – The protection orders that may be issued
4 under this Act are the barangay protection order (BPO), temporary protection order
5 (TPO) and permanent protection order (PPO), which shall include any, some or all
6 of the following reliefs:

7 a) Prohibition of the respondent from threatening to commit or
8 committing, personally or through another, any of the acts mentioned in Section 5
9 of this Act;

10 b) Prohibition of the respondent from harassing, annoying, telephoning,
11 contacting or otherwise communicating with the senior citizen, directly or
12 indirectly;

13 c) Removal and exclusion of the respondent from the residence of the
14 senior citizen, regardless of ownership of the residence, either temporarily for the
15 purpose of protecting the senior citizen, or permanently where no property rights
16 are violated, and, if respondent must remove personal effects from the residence,
17 the court shall direct a law enforcement agent to accompany the respondent to the
18 residence, remain there until respondent has gathered the things and escort
19 respondent from the residence;

20 d) Directing the respondent to stay away from the senior citizen and
21 designated family or household member at a distance specified by the court, and to

1 stay away from the residence, school, place of employment, or any specified place
2 frequented by the senior citizen and any designated family or household member;

3 e) Directing lawful possession and use by the senior citizen of any
4 vehicle and other essential personal effects directing the appropriate law
5 enforcement officer to accompany the senior citizen to the residence of the
6 respondent to ensure that the senior citizen is safely restored to the possession of the
7 vehicle and other essential personal effects, or to supervise the removal of personal
8 belongings of the senior citizen or respondent;

9 f) Prohibition of the respondent from any use or possession of any
10 firearm or deadly weapon and order the respondent to surrender the same to the
11 court for appropriate disposition by the court, including revocation of license and
12 disqualification to apply for any license to use or possess a firearm. If the
13 respondent is a law enforcement agent, the court shall order the respondent to
14 surrender the firearm and shall direct the appropriate authority to investigate the
15 respondent and take appropriate action;

16 g) Restitution for actual damages caused by the violence inflicted,
17 including damage to property, medical expenses, health care expenses and loss of
18 income;

19 h) Directing the Department of Social Welfare and Development
20 (DSWD) or any appropriate agency to provide the senior citizen temporary shelter
21 and other social services that the senior citizen may need; and

i) Provision of such other forms of relief as the court deems necessary to protect and provide for the safety of the senior citizen and any designated family or household member, provided the senior citizen and any designated family or household member consents to such relief.

SEC. 9. *Who May File Petition for Protection Orders.* – A petition for protection order may be filed by any of the following:

- a) The offended senior citizen;
- b) Ascendants, descendants or collateral relatives within the fourth civil degree of consanguinity or affinity of the offended senior citizen;
- d) Officers or social workers of the DSWD or social workers of local government units (LGUs);
- e) Police officers;
- f) Punong Barangay or Barangay Kagawad;
- g) Lawyer, counselor, therapist or healthcare provider of the senior citizen;
- h) At least two (2) concerned responsible citizens of the city or municipality where the violence against the senior citizen occurred and who have personal knowledge of the offense committed.

The issuance of a BPO or the pendency of an application for BPO shall not preclude a senior citizen from applying for, or the court from granting a TPO or PPO.

1 SEC. 10. *Where to Apply for a Protection Order.* – Applications for BPO

2 shall follow the rules on venue under Section 409 of the Local Government Code of
3 1991 and its implementing rules and regulations. An application for a TPO or PPO
4 may be filed in the regional trial court, metropolitan trial court, municipal trial
5 court, municipal circuit trial court with territorial jurisdiction over the place of
6 residence of the senior citizen.

7 SEC. 11. *How to Apply for a Protection Order.* – The application for a

8 protection order must be in writing, signed and verified under oath by the applicant.

9 It may be filed as an independent action or as incidental relief in any civil or

10 criminal case the subject matter or issues thereof partakes of a violence as described

11 in this Act. A standard protection order application form, written in English with

12 translation to the major local languages, shall be made available to facilitate

13 applications for protection orders, and shall contain, among others, the following

14 information:

15 a) Names and addresses of the senior citizen and respondent;

16 b) Description of relationships between the senior citizen and the
17 respondent;

18 c) A statement of the circumstances of the abuse;

19 d) Description of the reliefs requested by the senior citizen as specified in

20 Section 8 of this Act;

- 1 e) Request for a lawyer to assist or represent the senior citizen if
2 necessary, and the reason for such;
- 3 f) Request for waiver of application fees until hearing; and
- 4 g) An attestation that there is no pending application for a protection
5 order in another court.

6 If the applicant is not the victim, the application must be accompanied by an
7 affidavit of the applicant attesting to the circumstances of the abuse suffered by the
8 victim and the circumstances of consent given by the victim for the filing of the
9 application. When disclosure of the address of the victim will pose danger to life, it
10 shall be so stated in the application. In such a case, the applicant shall attest that the
11 victim is residing in the municipality or city over which the court has territorial
12 jurisdiction, and shall provide a mailing address for the purpose of service
13 processing.

14 An application for protection order filed with a court shall be considered an
15 application for both a TPO and PPO.

16 Barangay officials and court personnel shall assist applicants in the
17 preparation of the application. Law enforcement agents shall also extend assistance
18 in the application for protection orders in cases brought to their attention.

19 SEC. 12. ***Enforceability of Protection Orders.*** – A TPO or PPO issued
20 under this Act shall be enforceable anywhere in the Philippines. A violation thereof

1 shall be punishable with a fine ranging from Five thousand pesos (P5,000.00) to
2 Fifty thousand pesos (P50,000.00) or imprisonment of six (6) months.

3 SEC. 13. *Legal Representation for a Protection Order.* – If the senior
4 citizen requests in the application for a protection order for the appointment of
5 counsel because of lack of economic means to hire a counsel *de parte*, the court
6 shall immediately direct the Public Attorney's Office (PAO) to represent the senior
7 citizen in the hearing on the application. If the PAO determines that the applicant
8 can afford to hire the services of a counsel *de parte*, it shall facilitate the legal
9 representation of the senior citizen by a counsel *de parte*. The lack of access to
10 family or conjugal resources by the senior citizen, such as when the same are
11 controlled by the perpetrator, shall qualify the senior citizen to legal representation
12 by the PAO.

13 A private counsel offering free legal service is not barred from representing
14 the senior citizen.

15 SEC. 14. *Barangay Protection Order (BPO).* – Barangay Protection
16 Order refers to the protection order issued by the Punong Barangay ordering the
17 perpetrator to desist from committing the acts under (a) and (b) of Section 5 of this
18 Act. A Punong Barangay who receives applications for a BPO shall issue the
19 protection order to the applicant on the date of filing after *ex parte* determination of
20 the basis of the application. If the Punong Barangay is unavailable to act on the
21 application for a BPO, the application shall be acted upon by any available

1 Barangay Kagawad. If the BPO is issued by a Barangay Kagawad, the order must
2 be accompanied by an attestation by the Barangay Kagawad that the Punong
3 Barangay was unavailable at the time for the issuance of the BPO. A BPO shall be
4 effective for fifteen (15) days. Immediately after the issuance of an *ex parte* BPO,
5 the Punong Barangay or Barangay Kagawad shall personally serve a copy of the
6 same on the respondent, or direct any barangay official to effect its personal service.

7 The parties may be accompanied by a non-lawyer advocate in any proceeding
8 before the Punong Barangay.

9 SEC. 15. ***Temporary Protection Order (TPO)***. – Temporary Protection
10 Order refers to the protection order issued by the court on the date of filing of the
11 application after *ex parte* determination that such order should be issued. A court
12 may grant in a TPO any, some or all of the reliefs mentioned in this Act and shall be
13 effective for thirty (30) days. The court shall schedule a hearing on the issuance of a
14 PPO prior to or on the date of the expiration of the TPO. The court shall order the
15 immediate personal service of the TPO on the respondent by the court sheriff who
16 may obtain the assistance of law enforcement agents for the service. The TPO shall
17 include notice of the date of the hearing on the merits of the issuance of a PPO.

18 SEC. 16. ***Permanent Protection Order (PPO)***. – Permanent Protection
19 Order refers to protection order issued by the court after notice and hearing. The
20 non-appearance of the respondent despite proper notice, or the lack of a lawyer, or
21 the non-availability of the lawyer shall not be a ground for rescheduling or

1 postponing the hearing on the merits of the issuance of a PPO. If the respondent
2 appears without counsel on the date of the hearing on the PPO, the court shall
3 appoint a lawyer for the respondent and immediately proceed with the hearing. In
4 case the respondent fails to appear despite proper notice, the court shall allow *ex*
5 *parte* presentation of the evidence by the applicant and render judgment on the basis
6 of the evidence presented. The court shall allow the introduction of any history of
7 abusive conduct of the respondent even if the same was not directed against the
8 applicant or the senior citizen for whom the application is made.

9 The court shall, to the extent possible, conduct the hearing on the merits of
10 the issuance of a PPO in one (1) day. Where the court is unable to conduct the
11 hearing within one (1) day and the TPO issued is due to expire, the court shall
12 continuously extend or renew the TPO for a period of thirty (30) days at each time
13 until final judgment is issued. The extended or renewed TPO may be modified by
14 the court as may be necessary or applicable to address the needs of the applicant.

15 The court may grant any, some or all of the reliefs specified in Section 8 of
16 this Act in a PPO. A PPO shall be effective until revoked by a court upon
17 application of the person in whose favor the order was issued. The court shall
18 ensure immediate personal service of the PPO on the respondent.

19 The court shall not deny the issuance of protection order on the basis of the
20 lapse of time between the act of violence and the filing of the application.

1 Regardless of the conviction or acquittal of the respondent, the court must
2 determine whether or not the PPO shall become final. Even in a dismissal, a PPO
3 shall be granted as long as there is no clear showing that the act from which the
4 order might arise did not exist.

5 SEC. 17. *Notice of Sanction in Protection Orders.* – The following
6 statement must be printed in bold-faced type or in capital letters on the protection
7 order issued by the Punong Barangay or court:

8 **"VIOLATION OF THIS ORDER IS PUNISHABLE BY LAW."**

9 SEC. 18. *Mandatory Period For Acting on Applications For Protection*
10 *Orders.* – Failure to act on an application for a protection order within the
11 reglementary period specified in the previous section without justifiable cause shall
12 render the official or judge administratively liable.

13 SEC. 19. *Priority of Application for a Protection Order.* – *Ex parte* and
14 adversarial hearings to determine the basis of applications for a protection order
15 under this Act shall have priority over all other proceedings. Barangay officials and
16 the courts shall schedule and conduct hearings on applications for a protection order
17 under this Act above all other business and, if necessary, suspend other proceedings
18 in order to hear applications for a protection order.

19 SEC. 20. *Violation of Protection Orders.* – A complaint for a violation of
20 BPO issued under this Act shall be filed directly with any municipal trial court,
21 metropolitan trial court, or municipal circuit trial court that has territorial

1 jurisdiction over the barangay that issued the BPO. Violation of a BPO shall be
2 punishable by imprisonment of thirty (30) days without prejudice to any other
3 criminal or civil action that the offended senior citizen may file for any of the acts
4 committed.

5 A judgment of violation of a BPO may be appealed according to the Rules of
6 Court. During trial and upon judgment, the trial court may *motu proprio* issue a
7 protection order as it deems necessary without need of an application.

8 Violation of any provision of a TPO or PPO issued under this Act shall
9 constitute contempt of court punishable under Rule 71 of the Rules of Court,
10 without prejudice to any other criminal or civil action that the offended senior
11 citizen may file for any of the acts committed.

12 SEC. 21. *Applicability of Protection Orders to Criminal Cases.* – The
13 foregoing provisions on protection orders shall be applicable and impliedly
14 instituted with the criminal actions involving violence against the senior citizen.

15 SEC. 22. *Bond to Keep the Peace.* – The court may order any person
16 against whom a protection order is issued to give a bond to keep the peace, to
17 present two sufficient sureties who shall undertake that such person will not commit
18 the violence sought to be prevented.

19 Should the respondent fail to give the bond as required, the respondent shall
20 be detained for a period which shall in no case exceed six (6) months, if the
21 respondent shall have been prosecuted for acts punishable under Section 5 (a) to 5

1 (e) and not exceeding thirty (30) days, if for acts punishable under Section 5 (f) to 5
2 (h).

3 The protection orders referred to in this section are the TPOs and the PPOs
4 issued only by the courts.

5 SEC. 23. *Prescriptive Period.* – Acts falling under Section 5 shall
6 prescribe in twenty (20) years.

7 SEC. 24. *Public Crime.* – Violence against senior citizens shall be
8 considered a public offense which may be prosecuted upon the filing of a complaint
9 by any citizen having personal knowledge of the circumstances involving the
10 commission of the crime.

11 SEC. 25. *Prohibited Defense.* – Being under the influence of alcohol, any
12 illicit drug, or any other mind-altering substance shall not be a defense under this
13 Act.

14 SEC. 26. *Duties of Prosecutors and Court Personnel.* – Prosecutors and
15 court personnel shall observe the following duties when dealing with victims under
16 this Act:

17 a) Communicate with the victim in a language understood by the senior
18 citizen; and

19 b) Inform the victim of the rights including legal remedies, procedure and
20 privileges available for indigent litigants.

1 SEC. 27. *Duties of Barangay Officials and Law Enforcers.* – Barangay

2 officials and law enforcers shall have the following duties:

3 a) Respond immediately to a call for help or request for assistance or
4 protection of the victim by entering the dwelling if necessary whether or not a
5 protection order has been issued and ensure the safety of the victim;

6 b) Confiscate any deadly weapon in the possession of the perpetrator or
7 within plain view;

8 c) Transport or escort the victim to a safe place of their choice or to a
9 clinic or hospital;

10 d) Assist the victim in removing personal belongings from the house;

11 e) Assist the barangay officials and other government officers and
12 employees who respond to a call for help;

13 f) Ensure the enforcement of the protection orders issued by the Punong
14 Barangay or by the courts;

15 g) Arrest the suspected perpetrator even without a warrant when any of
16 the acts of violence defined by this Act is occurring, or when the barangay officials
17 or law officer has personal knowledge that any act of abuse has just been committed
18 and there is imminent danger to the life or limb of the victim as defined in this Act;
19 and

1 h) Immediately report the call for assessment or assistance of the DSWD,
2 Municipal or City Social Welfare and Development Office of LGUs or accredited
3 non-government organizations (NGOs).

4 Any barangay official or law enforcer who fails to report the incident shall be
5 liable for a fine not exceeding Ten thousand pesos (P10,000.00) or whenever
6 applicable shall be held administratively liable.

7 SEC. 28. *Healthcare Provider Response to Abuse.* – Any healthcare
8 provider including an attending physician, nurse, clinician, barangay health worker,
9 therapist or counselor who suspects abuse or has been informed by the victim of
10 violence shall:

11 a) Properly document any of the victim's physical, emotional or
12 psychological injuries;

13 b) Properly record any of victim's suspicions, observations and
14 circumstances of the examination or visit;

15 c) Automatically provide the victim free of charge a medical certificate
16 concerning the examination or visit;

17 d) Safeguard the records and make them available to the victim upon
18 request at actual cost; and

19 e) Provide the victim immediate and adequate notice of rights and
20 remedies provided under this Act and services available to them.

1 SEC. 29. *Duties of Other Government Agencies and LGUs.* – Other

2 government agencies and LGUs shall establish programs such as education and
3 information campaign and seminars or symposia on the nature, causes, incidence
4 and consequences of such violence particularly towards educating the public on its
5 social impacts.

6 It shall be the duty of the government agencies and LGUs to ensure the
7 continuous education and training of their officers and personnel on the prevention
8 of violence against senior citizen under this Act.

9 SEC. 30. *Prohibited Acts.* – A Punong Barangay, Barangay Kagawad or
10 the court hearing an application for a protection order shall not order, direct, force
11 or in any way unduly influence the applicant for a protection order to compromise
12 or abandon any of the reliefs sought in the application for protection under this Act.

13 Failure to comply with this section shall render the official or judge
14 administratively liable.

15 SEC. 31. *Persons Intervening Exempt from Liability.* – In every case of
16 violence against senior citizen as herein defined, any person, private individual or
17 police authority or barangay official who, acting in accordance with law, responds
18 or intervenes without using violence or restraint greater than necessary to ensure the
19 safety of the victim, shall not be liable for any criminal, civil or administrative
20 liability resulting therefrom.

1 SEC. 32. ***Rights of Victims.*** – In addition to their rights under existing
2 laws, victims of violence against senior citizen shall have the following rights:

- 3 a) To be treated with respect and dignity;
4 b) To avail of legal assistance from the PAO of the Department of Justice
5 (DOJ) or any public legal assistance office;
6 c) To be entitled to support services from the DSWD and LGU; and
7 d) To be informed of their rights and the services available to them
8 including their right to apply for a protection order.

9 SEC. 33. ***Damages.*** – Any victim of violence under this Act shall be
10 entitled to actual, compensatory, moral and exemplary damages.

11 SEC. 34. ***Exemption from Payment of Docket Fee and Other Expenses.*** –
12 If the victim is an indigent or there is an immediate necessity due to imminent
13 danger or threat of danger to act on an application for a protection order, the court
14 shall accept the application without payment of the filing fee and other fees and of
15 transcript of stenographic notes.

16 SEC. 35. ***Mandatory Programs and Services for Victims.*** – The DSWD,
17 and LGUs shall provide the victims temporary shelters, provide counseling, psycho-
18 social services or, recovery, rehabilitation programs and livelihood assistance. The
19 Department of Health shall provide medical assistance to victims.

20 SEC. 36. ***Counseling and Treatment of Offenders.*** – The DSWD shall
21 provide rehabilitative counseling and treatment to perpetrators towards learning

1 constructive ways of coping with anger and emotional outbursts and reforming their
2 ways. When necessary, the offender shall be ordered by the court to submit to
3 psychiatric treatment or confinement.

4 SEC. 37. *Training of Persons Involved in Responding to Violence*
5 *Against Senior Citizens.* – All agencies involved in responding to violence against
6 senior citizen cases shall be required to undergo education and training to acquaint
7 them with:

- 8 a) The nature, extent and causes of violence against senior citizen;
- 9 b) The legal rights of, and remedies available to, victims of violence
10 against senior citizen;
- 11 c) The services and facilities available to victims or survivors;
- 12 d) The legal duties imposed on police officers to make arrest and to offer
13 protection and assistance; and
- 14 e) Techniques for handling incidents of violence against senior citizen
15 that minimize the likelihood of injury to the officer and promote the safety of the
16 victim or survivor.

17 The Philippine National Police, in coordination with LGUs, shall establish an
18 education and training program for police officers and barangay officials to enable
19 them to properly handle cases of violence against senior citizens.

20 SEC. 38. *Leave Entitlement.* – The senior citizens who are employed
21 under this Act shall be entitled to take a paid leave of absence up to ten (10) days in

1 addition to other paid leaves under the Labor Code and civil service rules and
2 regulations, extendible when the necessity arises as specified in the protection
3 order.

4 Any employer who shall prejudice the right of the person under this section
5 shall be penalized in accordance with the provisions of the Labor Code and civil
6 service rules and regulations. Likewise, an employer who shall prejudice any
7 person for assisting a co-employee who is a victim under this Act shall likewise be
8 liable for discrimination.

9 SEC. 39. *Confidentiality.* – All records pertaining to cases of violence
10 against senior citizen including those in the barangay shall be confidential and all
11 public officers and employees of public or private clinics or hospitals shall respect
12 the right to privacy of the victim. Whoever publishes or causes to be published, in
13 any format, the name, address, telephone number, school, business address,
14 employer, or other identifying information of a victim or an immediate family
15 member, without the latter's consent, shall be liable to the contempt power of the
16 court.

17 Any person who violates this provision shall suffer the penalty of one (1)
18 year imprisonment and a fine of not more than Five hundred thousand pesos
19 (P500,000.00).

20 SEC. 40. *Inter-Agency Council on Violence Against Senior Citizens*
21 *(IACVASC).* – In pursuance of the above-mentioned policy, there shall be

1 established an Inter-Agency Council on Violence Against Senior Citizens,
2 hereinafter known as the Council, which shall be composed of the following
3 agencies:

- 4 a) Department of Social Welfare and Development;
- 5 b) Office of Senior Citizens Affairs;
- 6 c) Department of Finance;
- 7 d) Department of the Interior and Local Government;
- 8 e) Department of Justice;
- 9 f) Commission on Human Rights;
- 10 g) Philippine National Police; and
- 11 h) National Bureau of Investigation.

12 These agencies are tasked to formulate programs and projects to eliminate
13 violence against senior citizens based on their mandates as well as develop
14 capability programs for their employees to become more sensitive to the needs of
15 senior citizens. The Council shall serve as the monitoring body as regards violence
16 against senior citizens.

17 The Council members may designate their duly authorized representative
18 who shall have a rank not lower than an assistant secretary or its equivalent. These
19 representatives shall attend Council meetings in their behalf, and shall receive
20 emoluments as may be determined by the Council in accordance with existing
21 budget and accounting rules and regulations.

1 SEC. 41. ***Repealing Clause.*** – All laws, decrees, orders, rules and
2 regulations and other issuances or parts thereof, which are inconsistent with the
3 provisions of this Act are hereby repealed or modified accordingly.

4 SEC. 42. ***Separability Clause.*** – If any provision of this Act shall be held
5 unconstitutional or invalid, the other provisions not otherwise affected shall remain
6 in full force and effect.

7 SEC. 43. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its
8 publication in the *Official Gazette* or in any newspaper of general circulation.

9 Approved,