

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4569



Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr., and
REP. CHRISTOPHER S. CO

**AN ACT PROVIDING FOR THE CREATION OF A COUNCIL
FOR THE WELFARE OF OLDER PERSONS**

EXPLANATORY NOTE

Our Filipino older persons have contributed immensely to the growth and progress of the country. As they reach the twilight of their lives, it is our responsibility as a society to respect, protect and promote their rights and assure their physical, mental and social well-being. Based on the 2010 census, there are now 6.23 million persons aged 60 years and above and it is expected to assume prominence in the future with numbers reaching double digit or around 14.2 million (11% of the total population) in 2030 and 22.5 million in 2045 (15.9% of the total population).

Unlike the Persons with Disabilities (PWDs) which has the National Council on Disability Affairs (NCDA), the women's sector which has the Philippine Commission on Women (PCW), and the children's sector which has the Council on the Welfare of Children (CWC), the older persons or the senior citizens sector do not have a particular government body devoted to serve their interests. Thus, the proposal to create a Council for the Welfare of Older Persons which is expected to formulate, coordinate and monitor policies, plans, programs and projects that promote the rights and privileges of the sector.

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

A handwritten signature in black ink, appearing to be "Rodell M. Batocabe".

RODEL M. BATOCABE

A handwritten signature in black ink, appearing to be "Alfredo A. Garbin, Jr." with a large, stylized flourish.

ALFREDO A. GARBIN, Jr.

A handwritten signature in black ink, appearing to be "Christopher S. Co" with a long, sweeping flourish.

CHRISTOPHER S. CO

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**AN ACT PROVIDING FOR THE CREATION OF A COUNCIL
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1 *Be it enacted by the Senate and House of Representatives of the Philippines in*
2 *Congress assembled:*
3

4 **SECTION 1. CREATION OF THE COUNCIL FOR THE WELFARE OF OLDER PERSONS.** To carry out the
5 policies set forth, a Council for the Welfare of Older Persons (CWOP) shall be created as the primary
6 government agency responsible for policy-making, coordinating and monitoring agency for older
7 persons' concerns, to be lodged with the Department of Social Welfare and Development (DSWD) as an
8 attached agency. It shall be the overall monitoring and oversight body to ensure the implementation of
9 all laws, programs and services for the benefit of older persons.

10
11 **SECTION 2. OBJECTIVES OF THE COUNCIL -** The Council for the Welfare of Older Persons
12 (CWOP), hereinafter referred to as the "Council", shall promote full participation and equal
13 opportunities for older persons through socio-economic policies, programs and projects
14 and shall have the following specific objectives:

- 15 1. To act as an advisory and coordinating body to rationalize the functions and
16 activities of agencies involved in the promotion of the welfare of older persons;
- 17 2. To undertake necessary steps and measures to ensure the rights and benefits of
18 older persons at all levels;
- 19 3. To develop an integrated and comprehensive long-term National Plan for older
20 persons;
- 21 4. To formulate, develop and advocate for new policies and legislations or
22 amendments relating to the welfare of older persons;
- 23 5. To establish, maintain and expand partnerships, linkages and other networks with
24 national and international organizations concerned with older persons to maximize
25 resources and technical exchange;
- 26 6. To keep abreast with international standards of human rights, latest developments
27 in social protection, and other emerging trends and issues affecting older persons;
- 28 7. To raise the level of public awareness on the rights and welfare of older persons
29 through systematic information, education and communication (IEC) programs; and
- 30 8. To develop and maintain a database vis-a-vis profiling and referral system on older
31 persons"

SECTION 3. FUNCTIONS – The Council for the Welfare of Older Persons (CWOP) shall have the following functions:

- A) Serve as the primary government agency through which older persons can seek government assistance and as the medium, through which such assistance may be extended;
- B) Review and assess the conditions of older persons including existing laws and policies pertinent thereto and to propose relevant laws and policies to address their role in national development;
- C) Formulate and coordinate the implementation of policies, plans, programs, and projects for the economic, social and cultural development of the older persons and to monitor the implementation thereof;
- D) Subject to existing laws, to enter into contracts, agreements, or arrangement, with government or private agencies or entities as may be necessary to attain the objectives of this act, and subject to the approval of the President, to obtain loans from government lending institutions and other lending institutions to finance its programs;
- E) Negotiate for funds and to accept grants, donations, gifts and/or properties in whatever form and from whatever source, local and international, subject to the approval of the President of the Philippines, for the benefit of senior citizens and administer the same in accordance with the terms thereof; or in the absence of any condition, in such manner consistent with the interest of senior citizens as well as existing laws;
- F) Coordinate, monitor and evaluate the development of programs and projects for the advancement of the older persons at all levels including the activities of the Office of the Senior Citizens Affairs (OSCA) and to oversee the proper implementation thereof;
- G) Promote participation of older persons in business creation and entrepreneurial development such as but not limited to mentorship, management and potential investment;
- H) Convene periodic conventions or assemblies of older persons to review, assess as well as propose policies or plans;
- I) Prepare yearly accomplishment report for the Office of the President, Congress, and the concerned national government and local government units;
- J) Submit to Congress appropriate legislative proposals intended to carry out the policies under this act;
- K) Prepare and submit the appropriate budget to the Department of Social Welfare and Development;
- L) Promulgate the necessary rules and regulations for the implementation of this Act;
- M) Exercise such other powers and functions as may be directed by the President of the Republic of the Philippines; and
- N) Represent the Filipino older persons in all international conferences and conventions dealing with older persons and other related concerns."

SECTION 4. COMPOSITION. –The Council for the Welfare of Older Persons (CWOP) shall have a board composed of representatives from the following:

- a) Chairperson – Secretary of the Department of Social Welfare and Development (DSWD);
- b) Vice-Chairpersons – Secretaries of the Department of Health (DOH) and the Department of the Interior and Local Government (DILG);

c) Members: Secretaries or authorized representatives of the following:

1) Department of Trade and Industry (DTI);

2) Department of Justice (DOJ);

3) Department of Transportation and Communication (DOTC);

4) National Economic and Development Authority (NEDA);

5) Department of Finance (DOF) through the Bureau of Internal Revenue (BIR);

6) Commission on Human Rights (CHR);

7) National Anti-Poverty Commission (NAPC);

8) Representatives from five (5) accredited NGOs/POs for senior citizens

The Council shall create other sub-committees as may be deemed necessary to carry out the functions of the Council. It may call on the following relevant government agencies such as: a) Department of Public Works and Highways (DPWH), b) Department of Agriculture (DA), c) Department of Education (DepEd), d) Commission on Higher Education (CHED), e) Technical Education and Skills Development Authority (TESDA), f) Department of Labor and Employment (DOLE), g) Department of Budget and Management (DBM), h) Philippine Retirement Authority (PRA) and i) Public Information Agency (PIA).

The Council may also call on other NGOs and People's Organizations to serve as regular observers and/or resource persons as the need arises. Observers and resource persons have limited participation during meetings and no voting rights in the Council."

SECTION 5. NGO/PO REPRESENTATION. - The representatives from accredited NGOs and People's Organizations shall be older persons, or from institutions that have services for or catering primarily to the older persons. These NGO/PO representatives shall be selected and appointed by the President of the Philippines upon the recommendation and endorsement of the Council Board, and shall serve for a period of three (3) years."

SECTION 6. LEVEL OF REPRESENTATION. - The authorized primary representative to the Council from the government agencies shall have a rank of not lower than Director level or its equivalent, and for the NGOs/POs, shall have a rank not lower than an Executive Director or National President, respectively.

However, designated alternates of said primary representatives may be of technical rank and/or program coordinators/officers, provided they are duly authorized and the principal shall remain as primary signatory."

SECTION 7. COORDINATING AND MONITORING BODY AT THE REGIONAL LEVEL. - The Regional Development Councils may create committees with similar membership and functions as the national Council. As far as practicable, similar bodies shall be established in the local government units to maximize available mechanisms which are currently functioning for older persons, especially in the handling of complaints and monitoring of violations.

SECTION 8. THE CHAIRPERSON. - The Chairperson of the Council shall have the following duties:

a) To call and preside over the meeting;

b) To manage and administer the affairs of the Council;

c) To ensure that the decisions and policies of the Council are implemented;

d) To sign for and represent the Council;

1 e) To accept on behalf of the Council, gifts, grants or donations and to administer
2 and disburse the same with the approval of the Council in accordance with
3 government rules, regulations and policies;

4 f) To enter into and execute such contracts as may be deemed necessary in the
5 pursuit of the Council's objectives, subject to the approval of the Council and in
6 accordance with government rules, regulations and policies; and

7 g) To organize permanent or ad-hoc committees, consisting of members of the
8 Council or such other experts as are deemed necessary for the discharge of the
9 Council.

10 **SECTION 9. THE SECRETARIAT.** The Council shall have a full-time Secretariat which will
11 provide the machinery to coordinate functions, organize services and evaluate programs as
12 may be required by the Council in the exercise of its functions. It shall be headed by an
13 Executive Director to be assisted by a Deputy Executive Director, both of whom shall be
14 recommended by the Council Board to the President of the Philippines.

15 The staffing pattern and compensation schedule of the secretariat shall be drawn up
16 in accordance with existing laws, rules and regulations.

17 The secretariat shall be responsible for:

18 a) Ensuring an effective and efficient performance of the functions of the Council
19 and prompt implementation of the programs;

20 b) Proposing specific allocation of resources for projects as stated under the
21 approved programs;

22 c) Submitting periodic reports to the Council on the progress and accomplishment
23 of programs and projects;

24 d) Preparing an annual report on all activities of the Council;

25 e) Providing and performing general administrative and technical staff support;
26 and

27 f) Performing such other functions as the Council may deem necessary."

28 **SECTION 10. MEETINGS.** The Council Board shall meet every QUARTER or as often as need
29 arises at the call of the Chairperson. Eight (8) members of the Board shall constitute a
30 quorum. However, when a decision is made by such quorum, it must carry the unanimous
31 vote of all members to be valid. Members of the Council shall receive no compensation, but
32 may be entitled to receive an honorarium/per diem and other allowances as resolved by
33 the Council Board and authorized by the Department of Budget and Management."

34 **SECTION 11. APPROPRIATIONS.** The sum of FIFTY (50M) million pesos is hereby
35 appropriated, out of any funds in the National Treasury not otherwise appropriated, for the
36 operation and maintenance of the Council during the fiscal year. Thereafter, such sums as
37 may be necessary for its regular operation and continued maintenance shall be included in
38 subsequent annual General Appropriations Act. Provided, that the funds to be used for the
39 implementation of the Social Pension Program for indigent senior citizens shall remain a
40 line item of the DSWD budget.

41 "SECTION 16-D. DONATIONS. The Council shall be authorized to receive grants,
42 donations, contributions or gifts which will be administered or disbursed for the
43 purpose of which they were given, such as for DSWD-run centers for the older
44 persons and residential group homes, or in the absence of such, as the Council Board
45 may determine. Such donation shall be exempt from donor's tax in accordance with
46 provisions of the National Internal Revenue Code (NIRC) of 1997. In both cases,
47 government rules and regulations shall apply.

1 **SECTION 12.** All laws, presidential decrees, executive orders and rules and regulations or
2 part thereof, contrary to, or inconsistent with the provisions of this Act, are hereby
3 repealed or modified accordingly.

4 **SECTION 13.** Should any provision of this Act be found unconstitutional by a court of law,
5 such provision shall be severed from the remainder of this Act, and such action shall not
6 affect the enforceability of the remaining provisions of this Act.

7 **SECTION 14.** This Act shall take effect fifteen (15) days after its complete publication in
8 any two (2) national newspapers of general circulation.

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10 Approved,
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