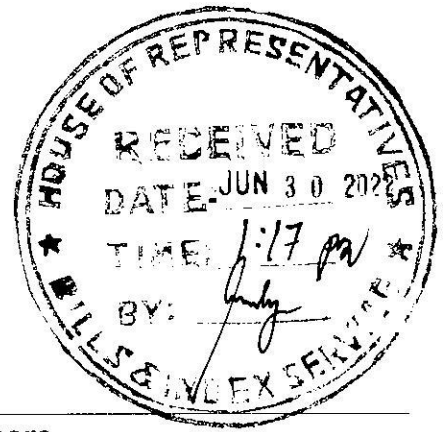


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 92



Introduced by **Hon. Robert Ace S. Barbers**

AN ACT GRANTING BENEFITS AND PRIVILEGES TO JUNIOR CITIZENS

EXPLANATORY NOTE

This bill seeks to develop a comprehensive program of benefits and privileges for children aged Zero (0) to Twelve (12) or Junior Citizens in the Philippines.

Our children are our nation's most valuable asset. They represent the bright future of our country and hold our hopes for a better nation. Every effort should be exerted by the State to promote their welfare and enhance their opportunities to a useful and happy life. While the government has sworn to protect, fulfill and respect our children's fundamental rights, many Filipino children still have limited access to basic services and are left behind, compared to other countries, in terms of obtaining their economic, social and health rights.

As provided in the 1987 Constitution, the State values the dignity of every human person and guarantees full respect for human rights. It is unfortunate, however, that legislations and policies underscore minimal consideration on the basic and fundamental needs of children aged zero (0) to twelve (12), or Junior Citizens, as referred to in this bill. Undeniably, some families with meager incomes can barely cope with the daily standard of living.

This bill aims to alleviate every parent's financial woes by providing their children or Junior Citizens with benefits and privileges that they can enjoy. It is hoped that this proposed measure will effectively address the concerns of our underprivileged junior citizens who play an important role in nation-building. If our government can give these privileges to our senior citizens, there is no reason why we cannot also grant these benefits to our underprivileged Junior Citizens.

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

HON. ROBERT ACE S. BARBERS
2nd District, Surigao del Norte

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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 **"Junior Citizens Act."**

SEC. 2. Declaration of Policies and Objectives. - 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. 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.

The Child is one of the most important assets of the nation. Every effort should be exerted to promote his welfare and enhance his opportunities for a useful and happy life.

All children shall be entitled to the rights herein set forth without distinction as to legitimacy or illegitimacy, sex, religion, political antecedents, and other factors.

SEC. 3. Definition of terms. - For purposes of this Act, these terms are defined as follows:

- (a) Junior citizen refers to any resident citizen of the Philippines aged zero (0) to twelve (12) years old;
- (b) Medical Services refer to hospital services, professional services of physicians and other health care professionals and diagnostics and laboratory tests that are necessary for the diagnosis or treatment of an illness or injury;

- (c) Dental services refer to oral examination, cleaning, permanent and temporary filling, extractions and gum treatments, restoration, replacement or repositioning of teeth, or alteration of the alveolar or periodontium process of the maxilla and the mandible that are necessary for the diagnosis or treatment of an illness or injury;
- (d) Guardian refers to a person who looks after and is legally responsible for a junior citizen whose parents have died or are estranged.

SEC. 4. *Privileges for the Junior Citizens.* – For purposes of this Act, only junior citizens whose annual family income does not exceed Two Hundred Fifty Thousand (P250,000.00) Pesos, shall be entitled to the following:

- (a) the grant of Twenty Percent (20%) discount and exemption from the value – added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the junior citizen:

- (1) on the purchase of medicines, including the purchase of vaccines, and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH).

The DOH shall establish guidelines and mechanism of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

- (2) on the purchase of milk supplements of children aged four (4) to twelve (12) years old;
 - (3) on the professional fees of attending physician/s in all private hospitals, medical facilities, outpatient clinics and home health care services;
 - (4) on the professional fees of licensed professional health providing home health care services as endorsed by private hospitals;
 - (5) on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home health care services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PhilHealth);
 - (6) on admission fees charged by theaters, cinema houses and concert halls, circuses, leisure and amusement; and
 - (7) on funeral and burial services for the death of junior citizens;

- (b) free medical and dental services, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the DOH in coordination with the PhilHealth;
- (c) the DOH, through the government hospitals and health centers, shall administer all necessary pediatric vaccinations including anti-influenza virus and pneumococcal disease for junior citizen patients for free;

SEC. 5. *Requirements and Qualifications.* - In order to avail the aforementioned privileges, the parent(s) or guardian(s) of the junior citizen, must secure from the barangay or the local government unit a Junior Citizen Identification Card and booklet.

In order for a junior citizen to be issued the Junior Citizen ID and booklet, the parent/s or guardians must present the following requirements:

- (a) an original or certified true copy of the child's birth certificate issued by the Philippine Statistics Authority;
- (b) Income Tax Return showing that the family's annual income does not exceed Php 250,000.00; or
- (c) Certification from the Department of Social Welfare and Development for indigency;

SEC. 6. *Availment of Benefits.* - In the purchase of goods and services which are on promotional discount, the junior citizen can avail of the promotional discount or the discount provided herein, whichever is higher."

SEC. 7. *Mandatory PhilHealth Coverage.* - All junior citizens shall be covered by the national health insurance program of PhilHealth and are therefore automatic PhilHealth members until they reach the age of Twelve (12), regardless of family income.

SEC. 8. *Penalties.* - Any person or establishment who refuses to provide the abovementioned privileges or violates any provision of this Act shall suffer the following penalties:

- (a) For the first violation, a fine of not less than Fifty Thousand Pesos (Php50,000.00) but not exceeding One Hundred Thousand Pesos (Php100,000.00);
- (b) For any subsequent violation, imprisonment of not less than two (2) years but not more than six (6) years and a fine of not less than One Hundred thousand pesos

(Php100,000.00) but not exceeding Two hundred thousand pesos (Php200,000.00); and

- (c) Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six (6) months and a fine of not less than Fifty Thousand Pesos (Php50,000.00) but not more than One Hundred Thousand Pesos (Php100,000.00).

If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner, or such other officer charged with the management of the business affairs shall be liable therefor. If the officer of the said corporation is an alien or a foreigner, he/she shall be deported immediately after service of sentence.

Upon filing of an appropriate complaint, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any person, establishment or business entity that fails to abide by the provisions of this Act."

SEC. 9. *Monitoring and Coordinating Mechanism.* - A National Coordinating and Monitoring Board shall be established which shall be composed of the following:

- (a) Chairperson - the Secretary of the Department of Health or an authorized representative;
- (b) Vice Chairperson - the Secretary of the Department of Social Welfare and Development or an authorized representative; and
- (c) Members:
 - (1) the Secretary of the DOJ or an authorized representative;
 - (2) the Secretary of the DILG or an authorized representative;
 - (3) the Secretary of the DTI or an authorized representative; and
 - (4) representatives from five (5) NGOs for junior citizens which are duly accredited by the DOH and/or DSWD and have service primarily for junior citizens, such as but not limited to orphanages and the like.

Representatives of NGOs shall serve a period of tree (3) years.

The Board may call on other government agencies, NGOs to serve as resource persons as the need arises. Resource person have no right to vote in the National Coordinating and Monitoring Board.

SEC. 10. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the Secretary of Health shall formulate the Implementing Rules and Regulations to carry out the objectives of this Act, including the creation of the Office of the Junior Citizens Affairs, in consultation with the Department of Social Welfare and Development, the Departments of Finance, the Philippine Health Insurance (Philhealth), the DOJ, the DILG, the DTI, the DOTC, the NEDA, the DepED, and five (5) NGOs for the junior citizens duly accredited by the DSWD.

SEC. 11. *Appropriations.* - The Necessary appropriations for the operation and maintenance of the OJCA shall be appropriated and approved by the LGUs concerned. For national government agencies, the requirements to implement the provisions of this Act shall be included in their respective budgets: Provided, That the funds to be used for the national health program and for the vaccination of junior citizens in the first year of the DOH and thereafter, as a line item under the under the DOH budget in the subsequent General Appropriations Act (GAA).

SEC 12. *Repealing Clause.* - All law, executive orders, rules and regulations or any part hereof inconsistent herewith are deemed repealed or modified accordingly.

SEC.13. *Separability Clause.* - If any part or provision of this Act shall be declared unconstitutional and invalid, such declaration shall not invalidate other parts thereof which shall remain in full force and effect.

SEC. 14. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved.