



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. **2012**



Introduced by Representative Ma. Rene Ann Lourdes G. Matibag

**AN ACT DEFINING AND PROHIBITING ELDER ABUSE,
PROVIDING PENALTIES THEREFORE, AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

The proposed “Anti-Elder Abuse Law of 2025” seeks to address the urgent and growing problem of abuse, neglect, and exploitation of elderly Filipinos by establishing a comprehensive legal framework for their protection. Despite the Philippines’ strong cultural and constitutional emphasis on respect for elders, many senior citizens continue to suffer various forms of abuse—often unreported and unpunished—at the hands of those entrusted with their care, including family members, caregivers, and institutions.

This bill is anchored on several provisions of the 1987 Philippine Constitution, which enshrine the dignity of every human person, guarantee full respect for human rights, and mandate the State to provide special protection to vulnerable sectors, including the elderly (Article II, Section 11; Article III, Section 1; Article XIII, Section 12; Article XV, Section 4). The Constitution also recognizes the family’s primary duty to care for its elderly members, but explicitly allows the State to intervene through social security and other protective programs when necessary.

At present, elder abuse cases are prosecuted under general criminal laws such as the Revised Penal Code or, for elder women, the Anti-Violence Against Women and Children Act (RA 9262). However, these laws do not specifically recognize the unique vulnerabilities of the elderly nor provide a comprehensive set of remedies and protections tailored to their needs. This has resulted in doctrinal gaps, inconsistent prosecution, and insufficient prevention and support services.

By enacting this law, the State will fulfill its constitutional and moral obligation to protect the elderly from all forms of abuse, discrimination, and neglect. The bill will standardize legal remedies, strengthen prevention and reporting systems, and institutionalize support services, thereby ensuring that Filipino elders can live in dignity, safety, and security.

The passage of this measure is a legislative priority supported by the Commission on Human Rights, senior citizen federations, and advocates for the rights of the elderly. It will close existing legal gaps, harmonize interventions, and affirm the nation's collective commitment to honor, care for, and protect its senior citizens.

Thus, the immediate passage of this bill is earnestly sought.


MA. RENE ANN LOURDES G. MATIBAG



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 2012

Introduced by Representative Ma. Rene Ann Lourdes G. Matibag

**AN ACT DEFINING AND PROHIBITING ELDER ABUSE, PROVIDING
PENALTIES THEREFORE, 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 “**Anti-Elder Abuse Law of 2025**”.

SECTION 2. *Declaration of Policy.* - Pursuant to Article II, Section 11 of the Philippine Constitution, the State values the dignity of every human person and thereby guarantees the full respect for human rights, and Article III, Section 1, which mandates that "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws," it is hereby declared the policy of the State to work actively for the elimination of all forms of discrimination, violence and abuse against the elderly.

Moreover, the following Constitutional provisions also mandate that: "The State shall 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 for all." (Article II, Section 9)

"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 XIII, Section 12 on Health Services)

"The family has the duty to take care of its elderly members but the State may also do so through just programs of social security." (Article XV, Section 4 on the Filipino Family)

In addition, Republic Act No. 9262 or the VAWC Act declares that the State shall exert efforts to address violence committed against women, and Republic Act No. 9710 or the Magna Carta of Women Section 33 on the Protection of Senior Citizens state that "the State shall protect women senior citizens from neglect, abandonment, domestic violence, abuse, exploitation, and discrimination."

Towards this end, the following discriminatory and abusive practices committed against senior citizens defined herein shall be proscribed and penalized. Moreover, the State shall ensure the establishment of support services and special protective mechanisms to safeguard older people against violence, sexual abuse, exploitation, and discrimination.

SECTION 3. *Definition of Terms.* -

- a. Elderly refers to any resident of the Philippines at least sixty (60) years of age;
- b. Discrimination - Any distinction, exclusion, restriction, or preference, whether actual or perceived, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise by all persons of an equal footing of all rights and freedoms.
- c. Marginalization - Any condition where people are systematically excluded from meaningful participation in economic, social, political, cultural other forms of human activity in their communities and thus are denied the opportunity to fulfil themselves as human beings.
- d. Senior Citizen - is a person 60 years old or older; it may be used

interchangeably with the terms "elderly" or "older person," which are more encompassing in reference to older people.

- e. Elder Abuse - Any act of commission or of omission ("neglect") to an elderly that may either be intentional or unintentional, resulting in unnecessary suffering, injury or pain, the loss or violation of human rights, and a diminished quality of life for the older person. It may take the form of physical, psychological and emotional abuse, neglect, financial or material exploitation, medical maltreatment, sexual exploitation and abandonment. Some cases involve more than one type of abusive behavior, such as the abuser victimizing the elderly person both physically and emotionally.
- f. Physical abuse - The infliction of pain or injury, physical coercion, or physical or drug-induced restraint. Includes intentional acts of violence that inflict bodily or physical harm.
- g. Battery -The act of inflicting physical harm resulting in physical and psychological or emotional distress.
- h. Sexual abuse - A non-consensual sexual contact of any kind with an elderly. Applies to acts which are sexual in nature such as harassment, acts of lasciviousness, rape and/or sexual assault.
- i. Psychological or Emotional Abuse. - The infliction of mental anguish. Applies to acts and/or omissions causing or likely to cause mental or emotional suffering such as but not limited to intimidation, public ridicule and humiliation, mockery and vilification, repeated verbal abuse, harassment, and threats.
- j. Financial or Material Abuse or Exploitation - means the illegal or improper use, control, or deprivation of an elder's funds, property, or assets. This includes, but is not limited to:
 - Cashing an elderly person's checks without authorization or permission;
 - Forging an older person's signature;
 - Misusing or stealing an older person's money or possessions;

- Coercing or deceiving an older person into signing any document (e.g., contracts or will);
 - Improper use of conservatorship, guardianship, or a Power of Attorney;
 - Acts that make or attempt to make an older person financially dependent;
 - Actual deprivation or threat of deprivation of financial resources such as withdrawal of financial support, including controlling the victim-survivor's own money or properties.
- k. Neglect - Consists of the refusal or failure to fulfill a care-giving obligation. It may be a result of a conscious and intentional attempt to inflict physical or emotional distress on the older person.

SECTION 4. *Meaning and Context of Elder Abuse.* - Under this Act, advanced age or elderliness shall no longer be considered as a mere "aggravating circumstance" in an offense. As in the case of child abuse, age shall be appreciated with the added dimension of vulnerability, a vulnerability an offender or perpetrator takes advantage of. Elder abuse may be defined as "a single or repeated act, a lack of appropriate action, occurring within any relationship where there is an expectation of trust and support, that causes harm or distress to an older person".

SECTION 5. *Prohibited Acts Constituting Elder Abuse* - Physical abuse is defined as the use of physical force that may result in bodily injury, physical pain, or impairment. Physical abuse may include but is not limited to such acts of violence as striking (with or without the use of an object), hitting, beating, pushing, shoving, shaking, slapping, kicking, pinching, and burning. In addition, inappropriate use of drugs and physical restraints, force-feeding, and physical punishment of any kind are also considered as physical abuse.

a) Sexual abuse is defined as a non-consensual sexual contact of any kind with an elderly person. Sexual contact with any older person incapable of giving consent is also considered sexual abuse. It includes, but is not limited to, unwanted touching, all types of sexual assault or battery, such rape, sodomy, coerced nudity, and capturing sexually explicit acts in photographs and video.

b) Emotional or psychological abuse is defined as the infliction of, anguish, pain, or distress through verbal or nonverbal acts. Emotional/psychological abuse includes but is not limited to verbal assaults, insults, threats, intimidation, humiliation, and harassment. In addition, treating an older person like an infant; isolating an elderly person from her/his family, friends, or regular activities; giving an older person the "silent treatment;" and enforced social isolation are considered emotional/psychological abuse.

c) Financial or material exploitation is defined as the illegal or improper use of an elder's funds, property, or assets. This includes, but are not limited to, cashing an elderly person's checks without authorization or permission; forging an older person's signature; misusing or stealing an older person's money or possessions; coercing or deceiving an older person into signing any document (e.g. contracts or will); and the improper use of conservatorship, guardianship, or a Power of Attorney.

d) Neglect is defined as the refusal or failure to fulfill any part of a person's obligations or duties to an elder. Neglect may also include failure of a person who has fiduciary responsibilities to provide care for an elder or the failure on the part of an in-home service provider to provide necessary care. Neglect typically means the refusal or failure to provide an elderly person with such life necessities as food, water, clothing, shelter, personal hygiene, medicine, comfort, personal safety, and other essentials included in an implied or agreed-upon responsibility to an elder.

e) Abandonment is defined as the desertion of an elderly person by an individual who has assumed responsibility for providing care for an elder, or by a person with physical custody of an elder.

SECTION 6. *Penalties* - The crime of Elder Abuse shall be punished according to the following Rules:

a) An offender-perpetrator shall be punished with imprisonment according to present criminal laws under The Revised Penal Code (RPC) and Republic Act No. 9262, or the Anti-Violence against Women and Children Act (Anti-VAWC);

a. Acts constituting attempted, frustrated, or consummated, parricide, murder or homicide shall be penalized according to the RPC, especially if it results to mutilation;

b. Acts constituting serious physical injuries shall suffer the penalty of prision mayor, and acts constituting less serious injuries shall suffer the penalty

of prision correccional, and anything constituting slight physical injuries shall suffer the penalty of arresto mayor,

c. Any act constituting sexual abuse or similar sexual-related offenses shall suffer the penalty of prision mayor,

d. Any act constituting psychological and/or emotional abuse shall suffer the penalty of prision mayor,

e. Any act constituting financial, economic or material abuse shall suffer the penalty of prision correccional,

f. Any act constituting neglect or abandonment of an older person shall suffer the penalty of by arresto mayor,

b) The penalty provided shall be imposed in its maximum period:

a. If the offender-perpetrator has been previously convicted under this Act;

b. If the offender is a descendant, collateral relative or family member of up to the 2nd degree of consanguinity or affinity;

c. If the offender is an owner-operator, manager, or employee or a privately-operated, for profit or non-profit, elderly facility;

d. If the offender is a public official, staff or employee of a government-operated elderly residential care facility; Provided, that said public servant or employee can be subjected to suspension and/or termination based on administrative procedures.

c) In cases involving elderly residential care facilities and homes for the aged, the above-mentioned penalties shall not preclude the consequent civil case for damages or administrative charges that may also result in the suspension or revocation of accreditation or license to operate from the Department of Social Work and Development (DSWD).

d) Any act constituting financial, economic, or material abuse shall suffer the penalty of prision correccional to prision mayor, graduated as follows:

- If the amount involved is less than Fifty Thousand Pesos (₱50,000), prision correccional;
- If the amount involved is Fifty Thousand Pesos (₱50,000) or more but less than Five Hundred Thousand Pesos (₱500,000), prision mayor;

- If the amount involved is Five Hundred Thousand Pesos (₱500,000) or more, reclusion temporal.

Aggravating Circumstance: Abuse of trust or confidence shall be considered an aggravating circumstance and shall increase the penalty by one degree.

SECTION 7. *Enforcement and Protocols* –

a) Public Crime - Elder abuse shall be considered a public offense which may be prosecuted upon the filing of a complaint by any citizen having personal knowledge of the circumstances involving the commission of the crime;

b) The following persons may file a complaint for elder abuse:

- The offended older person;
- Anyone with personal knowledge of the circumstances involving the commission of the crime, including but not limited to family members, caregivers, social workers, health professionals, barangay officials, and concerned citizens.

c) Barangay officials or law enforcers shall respond immediately to a call for help or request for assistance by entering the dwelling or wherever the incident occurs, checking on the well-being of the victim, and ensuring the safety of the victim-survivor; As immediate responders, they must also transport or escort the victim to a safe place of their choice or to a clinic or hospital, if and when necessary;

d) Immunity - Any person or private individual acting in accordance with the law, responds or intervenes without using violence or restraint greater than necessary to ensure the safety of the victim, shall not be liable for any criminal, civil, or administrative case resulting therefrom.

e) Prohibited Defense - Being under the influence of alcohol, any illicit drugs or any other mind-altering substance shall not be a defense under this Act.

f) Prohibited Acts by Government Officials - Any barangay official or court hearing an application for a Protection Order for an abused elderly shall not order, direct, force, or in any way influence the applicant to compromise or abandon any of

the reliefs sought. Failure to comply shall render the official or judge administratively liable.

g) The DSWD, the Department of Health (DOH), and the National Commission of Senior Citizens (NCSC) shall require Physicians, caregivers, or social workers who suspect ill-treatment of senior citizens to discuss the concern with the family or the head of the nursing home or elderly facility. In case the ill-treatment is confirmed, or in the event of suspicious death, the same shall be reported to the appropriate authorities.

h) Confidentiality - All cases pertaining to elder abuse including those at the barangay level shall be confidential, and all public officers and employees of public or private hospitals/clinics shall respect the right to privacy of the victim-survivor. Any person who shall make public any relevant or identifying information about the case or the victim shall be made liable for contempt of court and shall suffer the penalty of a fine of two hundred thousand pesos (PHP 200,000.00).

SECTION 7-A. *Presumptions and Evidentiary Rules.* - To facilitate prosecution and protect the rights of elderly victims, the following presumptions and evidentiary rules are hereby established:

a) Certain acts, including isolating the elderly from the public, refusing others to interact or communicate with the elderly, or removing the elderly's access to communication devices, shall be prima facie presumed to be in furtherance of elder abuse.

b) Testimony or statements of the elderly victim who is unable to testify personally due to age-related incapacity shall be admissible as an exception to the hearsay rule.

c) Circumstantial evidence may be used as a basis to convict the abuser.

d) Disposition of property through donation or other gratuitous means shall be prima facie presumed as elder abuse if attended by suspicious circumstances such as:

- The elderly is no longer capable of reading due to poor eyesight;
- The elderly suffers from a mental condition impairing consent (e.g., dementia);

- A majority or substantial portion of the elderly's properties have been disposed or used.

SECTION 7-B. *Rights of De Facto Guardians* .-

De facto guardians or caregivers who have assumed responsibility for the care of the elderly shall be granted the authority to act on behalf of the elderly in filing complaints and seeking protective measures against alleged abusers without the need to undergo the process of court-appointed guardianship, subject to proper documentation and verification by appropriate authorities.

SECTION 7-C. *Temporary Protective Measures*. - During the pendency of any criminal prosecution for elder abuse, the court or appropriate authority may issue temporary measures including but not limited to:

- Restraining orders on the use, disposal, or transfer of the elderly's assets;
- Protection orders over the person or property of the elderly to prevent further harm.

These provisional remedies shall be available upon verified complaint or motion to ensure immediate protection of the elderly.

SECTION 8. *Establishment of a Senior Citizens Help Desk* - Every barangay shall establish a senior citizens Help Desk which shall provide immediate assistance to victim- survivors of elder abuse. Apart from barangay officials, it may be staffed by duly accredited representatives of the senior citizens sector or from the membership of a local elderly organization designated and authorized by the Barangay Council or Chairperson.

SECTION 9. *Mandatory Programs and Services for Victims of Elder Abuse* - The NCSC, DSWD and LGUs shall provide the victims temporary shelter, counseling, psycho-social services and/or recovery and rehabilitation programs, and financial assistance. The NCSC/Office of Senior Citizens Affairs (OSCA) shall include services addressing gender-based violence as well as elder abuse. All suspected cases of abuse and/or neglect gender-based violence as well as elder abuse of senior citizens must be reported in accordance with existing laws. The NCSC/OSCA, in coordination with the

Local Social Welfare and Development Officer (LSWDO), shall maintain an elder abuse documentation and case monitoring system, and set up a databank to keep an accurate and reliable record of instances of abuse and violence committed against the elderly.

SECTION 10. *Counseling and Rehabilitation of Offenders-Perpetrators* -The NCSC and the DSWD shall provide rehabilitative counseling and treatment of perpetrators towards learning constructive ways of coping with their anger, emotional outbursts, or stress, and reforming their ways. Psychiatric treatment or confinement may also be recommended by the responsible authorities, if necessary.

SECTION 11. *Trainings and Capacity-Building for Intervenors* – All government agencies involved in responding to elder abuse cases shall be required to undergo education and training to acquaint them with:

- a) Toe nature, extent, causes, and risk factors of elder abuse;
- b) The legal rights and remedies of victim-survivors of elder abuse;
- c) Legal duties of barangay officials, OSCA Heads, LSWDOs, police officers and court authorities in offering assistance and protection;
- d) The available services and facilities for victim-survivors of elder abuse;
- e) Specific techniques in handling elder abuse cases to minimize injury, and promote the safety and ensure the well-being of the victim-survivor.

The DOH and other concerned institutions shall provide capacity-building on the prevention, detection, and management of psycho-social problems and other geriatric concerns of senior citizens, such as dementia and Alzheimer’s Disease, among healthcare providers, home providers, home caregivers, and staff and employees of nursing homes and/or elderly residential facilities, specifically on handling older person abuse.

SECTION 12. *Affirmative Ads* – To ensure that the rights and welfare of older persons are protected, the following programs and interventions shall be developed and implemented:

- a) Establish clear advocacy/information programs and increase public awareness to minimize risks of neglect, abuse and violence to older persons;

- b) Include training on the prevention, detection, and management of social problems of senior citizens among healthcare professionals and law enforcement officers, specifically on the handling of elder abuse cases;
- c) Encourage the development and utilization of supportive community resources that provide in-home services, respite care, and stress reduction with high-risk families. In addition, explore the possibilities of subsidies and outreach support for family and caregivers to promote quality homecare for senior citizens;
- d) Ensure high priority for the enactment of measures that would provide social protection to the elderly and reduce their socio-economic and political disparities;
- e) Continue to develop and initiate programs and services for senior citizens that are gender-responsive, rights-based, and culture-sensitive concerns of senior citizens are identified and addressed; and
- f) Review school curricula and teaching modules through the Department of Education and the Commission on Higher Education to highlight with renewed focus the importance of family values, filial piety, and respect for the elderly.

SECTION 13. *Implementing Rules and Regulations.* – The NCSC and the DSWD, in consultation with the Department of Interior and Local Government (DILG), Department of Health (DOH), other relevant government agencies, Union of Local Authorities of the Philippines (ULAP), and at least two (2) elderly-focused non-government organizations with a proven track record, shall promulgate the Implementing Rules and Regulations (IRR) of this Act within six (6) months from its approval.

SECTION 14. *Separability Clause* – If any provision of this Act is held unconstitutional or invalid, such provision shall not affect the enforceability and effectivity of its remaining provisions.

SECTION 15. *Repealing Clause.* – All laws, decrees, executive orders, issuances, and rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 16. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,