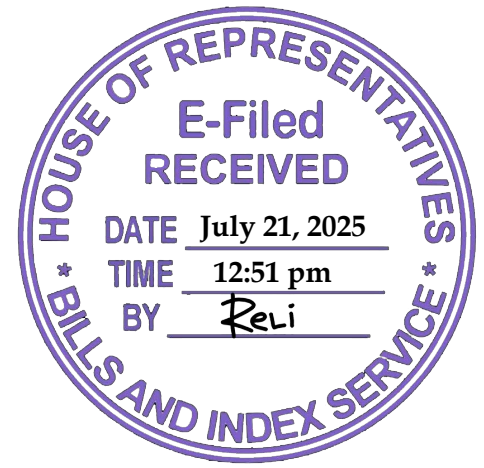


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2124



Introduced by REP. RODOLFO "OMPONG" M. ORDANES

AN ACT PROTECTING SENIOR CITIZENS FROM VIOLENCE, DEFINING ELDER ABUSE, AND PRESCRIBING PENALTIES THEREOF

EXPLANATORY NOTE

Senior citizens are among the most vulnerable members of society. As individuals age, they often face increasing dependence on others for their physical, emotional, and financial needs. Sadly, this reliance can expose them to various forms of abuse, including violence, neglect, exploitation, and abandonment, frequently committed by those closest to them, such as family members, caregivers, or trusted acquaintances.

While there are existing laws in the Philippines that penalize acts of violence and abuse, they do not sufficiently address the unique vulnerabilities of senior citizens. At present, there is no comprehensive legislation that defines and penalizes elder abuse, nor are there established protective measures that cater directly to the needs and circumstances of older persons.

This proposed measure, entitled the "Anti-Elder Abuse Act," seeks to fill this legislative gap by recognizing and protecting the rights of senior citizens against all forms of violence and maltreatment. It declares as a state policy the full respect for the dignity and human rights of elderly persons and emphasizes the duty of the State to protect them from abuse, exploitation, coercion, neglect, and discrimination.

The bill clearly defines what constitutes elder abuse, including physical harm, emotional and psychological suffering, economic exploitation, and abandonment. It mandates a comprehensive set of services and interventions, such as the provision of shelters, psychosocial support, counseling, legal assistance, and livelihood programs. The measure also requires the establishment of a Senior Citizen Help Desk in every barangay to ensure that immediate assistance and protection are made accessible to elderly victims of abuse.

It also empowers the courts and barangay officials to issue protection orders to prevent further acts of abuse and directs law enforcement agencies to take urgent and appropriate action in responding to reports of violence. The bill further mandates the Philippine National Police to adopt protocols for handling such cases and requires the Department of Justice to create special prosecution units to handle complaints involving elder abuse.

Additionally, the proposed measure imposes penalties on perpetrators of elder abuse and holds public officials accountable for failing to act on reports or requests for assistance. It also underscores the importance of mandatory reporting by medical professionals and

government personnel who become aware of abuse incidents. The bill provides for mandatory education and training programs for barangay officials and law enforcement personnel to ensure that cases of elder abuse are handled with the appropriate knowledge, skills, and sensitivity.

The “Anti-Elder Abuse Act” is a concrete expression of the nation’s obligation to uphold the welfare of its elderly population. It is not merely a legislative response – it is an act of justice. Our senior citizens, who have devoted their lives to building families, communities, and the nation, deserve our utmost protection, care, and respect. By enacting this measure, we honor their contributions and ensure that they live the remainder of their lives with dignity, security, and peace.

Given the foregoing, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to be 'Rodolfo' with a stylized flourish.

RODOLFO “OMPONG” M. ORDANES

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

1 SECTION 1. **Short Title.** - This Act shall be known as the "*Anti-Elder Abuse Act.*"

2 SEC. 2. **Declaration of Policy** - It is hereby declared the policy of the State to value the
3 dignity of senior citizens and thereby guarantee full respect for human rights. This State also
4 recognizes the need to protect the family and its members, particularly the senior citizens,
5 from all forms of violence, abuse, neglect, exploitation, and coercion, especially acts
6 deleterious to their safety and security.

7 Towards this end, the State shall exert efforts to address all forms of violence, abuse,
8 neglect, exploitation and coercion, especially acts deleterious to their personal safety, security,
9 dignity, or any discriminatory act committed against senior citizens in keeping with the
10 fundamental freedom guaranteed under the Constitution and the provisions of the Universal
11 Declaration of Human Rights.

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

13 (a) *Domestic violence* refers to acts or threats of violence against a senior citizen,
14 excluding an act of self-defense, committed by any of the following:

- 15 1. current or former spouse of the victim;
- 16 2. a person related by blood or marriage to the victim;
- 17 3. a person who is cohabiting with or has cohabited with the victim;
- 18 4. a person with whom the victim shares a child in common;
- 19 5. a person who is or has been in a social relationship of a romantic or intimate
20 nature with the victim; or
- 21 6. a person similarly situated to a spouse of the victim, or by any other person,
22 if the domestic or family violence laws of the jurisdiction of the victim
23 provide for legal protection of the victim;

24 (b) *Elder abuse* refers to a single or repeated act, or lack of appropriate action, occurring
25 within any relationship or interaction by any person that causes harm or distress
26 to a senior citizen. It includes any act or series of acts committed by any person
27 against a senior citizen, within or outside the family abode, which results or is
28 likely to result in physical violence, psychological or emotional, economic or
29 domestic violence, and neglect or abandonment;

30 (c) *Emotional abuse* refers to acts that include shouting, swearing, scaring, or
31 humiliating a senior citizen through name-calling, ridicule, constant criticism,
32 accusing, blaming, showing disrespect, ignoring, or giving them the silent
33 treatment;

1 (d) *Safe place or shelter* refers to any home or institution maintained or managed by the
2 Department of Social Welfare and Development (DSWD) or by any other suitable
3 place that is willing to accommodate the aggrieved senior citizen; and

4 (e) *Senior citizen* refers to any resident citizen of the Philippines at least sixty (60) years
5 old as defined under the Republic Act. No. 9994, otherwise known as the
6 "Expanded Senior Citizen Act of 2010."

7 SEC. 4. ***Acts of Violence Against a Senior Citizen*** - Acts of violence against a senior
8 citizen are acts that cause harm or distress, committed once or repeatedly, through any of the
9 following:

10 (a) Physical abuse or infliction of pain or injury with the use of physical force resulting
11 in bodily injury, physical harm, pain or impairment, suffering or distress;

12 (b) Psychological, mental, or emotional abuse causing mental or emotional suffering
13 or distress;

14 (c) Material exploitation through illegal or improper use of funds or resources of the
15 senior citizen; and economic or financial abuse through acts that make the senior
16 citizen financially dependent or cause financial damage to them; and

17 (d) Abandonment or desertion by leaving a senior citizen unattended at a place for
18 such a considerable length of time, as may be likely to endanger the health and
19 welfare of a senior citizen, by an individual who has assumed responsibility for
20 providing care for the senior citizen, or by a person with custody of the senior
21 citizen.

22 SEC. 5. ***Rights of a Senior Citizen Who is a Victim of Violence***. - During the pendency
23 of the case involving violence against a senior citizen, in addition to those provided under
24 existing law, a senior citizen shall have the following rights:

25 (a) To avail of protection and legal assistance from the Public Attorney's Office (PAO)
26 of the Department of Justice (DOJ) or any public office of legal aid;

27 (b) To be entitled to support services from the DSWD and the Local Government Unit
28 (LGU) concerned;

29 (c) To be entitled to all legal remedies as provided for under the Family Code;

30 (d) To be informed through the Senior Citizen Help Desk established hereunder of the
31 senior citizen's rights and services available, including the right to apply for a
32 protection order; and

33 (e) To be entitled to actual, compensatory, moral, and exemplary damages.

34 SEC. 6. ***Mandatory Programs and Services for a Senior Citizen Who is a Victim of***
35 ***Violence*** - The DSWD, in coordination with the LGUs, shall provide a senior citizen who is a
36 victim of violence and similar acts the following services:

37 (a) A safe place or temporary shelter, such as senior housing, a nursing home, or other
38 suitable facility or service, when appropriate, as emergency short-term shelters.
39 This safe place or temporary shelter shall provide counselling, psycho-social,
40 recovery, or rehabilitation programs, and livelihood assistance;

41 (b) Counselling, healing, recovery, and rehabilitation services; and

42 (c) The appropriate programs to ensure the personal safety and security of senior
43 citizens who are victims or survivors of violence and similar acts.

44 SEC. 7. ***Response to a Request for Assistance***. - In responding to a request for
45 assistance, a barangay official or law enforcer shall have the following duties:

46 (a) Respond immediately to a call for help or a request for protection of the victim by
47 entering the senior citizen victim's dwelling, if necessary, whether or not a
48 perpetrator is within plain view;

49 (b) Confiscate any harmful object in the possession of the perpetrator, or one that is
50 within plain view;

51 (c) Transport the victim to a barangay hall, a clinic, or a hospital;

52 (d) Assist the victim in removing personal belongings from the dwelling;

- (e) Ensure the enforcement of the Protection Order (PO) issued by the Lupong Tagapamayapa, the Punong Barangay or Barangay Chairman, and the Court;
- (f) Arrest the suspected even without a warrant when any of the acts of violence defined in this Act are occurring, or on personal knowledge, an act of violence has been committed, and there is imminent danger to the life or limb of the senior citizen as defined in this Act; and
- (g) Immediately report the call for assistance to the DSWD, the LGU, or an accredited Non-Government Organization (NGO)

SEC. 8. *Philippine National Police (PNP) Protocol in Responding to Violence*

Committed Against a Senior Citizen. - The Philippine National Police (PNP) is hereby directed to adopt a written protocol establishing written guidelines and procedures to be followed by police officers in responding to requests for assistance and calls related to violence against senior citizens.

SEC. 9. *Education and Training Programs for Law Enforcement Officers and Persons Involved in Responding to Cases of Violence Against a Senior Citizen.* - All persons involved in responding to cases on all forms of abuse, violence, threats to personal safety and security, or any discriminatory act committed against a senior citizen shall be required to undergo education and training. The PNP, in coordination with the LGU concerned and the DSWD, shall establish education and training programs to assist law enforcement officers and barangay officials to enable them to properly handle cases of violence against senior citizens and acquaint them with:

- (a) The nature, extent, and causes of violence;
- (b) The legal rights of, and remedies available to, victims of violence;
- (c) The services and facilities available to victims or survivors;
- (d) The duties imposed on police officers include making lawful arrests and offering protection and assistance; and,
- (e) The necessary techniques to be employed in handling incidents of violence are to minimize the likelihood of injury to the officer and promote the safety of the victim or survivor.

SEC. 10. *Mandatory Reporting of Domestic Violence.* - A public officer who receives a complaint of violence committed against a senior citizen or the head of a public or private hospital, medical clinic or similar institutions, as well as the attending physician or nurse, clinician, barangay health worker, therapist or counsellor who examined or rendered treatment to a senior citizen victim shall make a report of the complaint, examination or treatment to the nearest police station.

All public workers and medical professionals who have knowledge of the incident involving domestic violence and to whom said abuse or violence was reported or revealed in the course of the performance of official duty shall immediately report the incident to the proper authorities.

In all cases, a report shall be made to any law enforcement agency within forty-eight (48) hours from knowledge of the same. Whereupon, investigation shall immediately follow. The DSWD shall assign a social worker to verify incidents of violence and file a petition for PO, if warranted.

SEC. 11. *Establishment of Senior Citizen Help Desk.* - Every barangay shall establish a Senior Citizen Help Desk, which shall provide immediate assistance to victim-survivors of abuse. Besides barangay officials, it may be manned by representatives of the senior citizen sector or by members of a local senior citizen organization designated and authorized by the Barangay Council or Chairperson.

SEC. 12. *Special Prosecution Units.* - The DOJ is hereby directed to establish special units that shall handle complaints of violence against senior citizens as defined in this Act, and the prosecution thereof.

1 SEC. 13. **Venue.** - The Regional Trial Court (RTC) designated as a Family Court shall
2 have original and exclusive jurisdiction over cases of violence against senior citizens as
3 provided in this Act. In the absence of such a court in the place where the offense was
4 committed, at the option of the complainant.

5 SEC. 14. **Protection Order (PO).** - A Protection Order (PO) is an injunction under this
6 Act that may be requested or issued for the purpose of preventing further acts of abuse or
7 violence against senior citizens as specified in Section 4 of this Act and granting other
8 necessary relief. The provisions of the PO shall be enforced by law enforcement agencies.
9 The types of PO that may be issued under this Act are as follows:

- 10 (a) Barangay Protection Order (BPO);
11 (b) Temporary Protection Order (TPO); and
12 (c) Permanent Protection Order (PPO).

13 The PO that may be issued under this Act shall include any or all of the following
14 reliefs:

- 15 (a) Prohibition of the respondent or offender from threatening to commit, personally
16 or through another, any of the acts of violence as defined in Sec. 4;
17 (b) Whenever applicable, issuance of an order to the respondent or offender to
18 immediately leave the domicile or residence of the petitioner. If personal effects
19 must be removed from the residence, the Court shall direct a law enforcement
20 officer to accompany the respondent to the residence until such time that the
21 respondent has gathered all belongings, and to escort the respondent from the
22 residence: *Provided*, that the victim or the aggrieved party shall likewise be
23 accorded the same protection contemplated herein;
24 (c) Issuance of an Order to the respondent to stay away from the petitioner within a
25 distance to be determined by the Court: *Provided*, That the order shall ensure the
26 physical safety of the petitioner in the residence, place of work, school, and such
27 other areas frequented by the offended party;
28 (d) Prohibition of the respondent from directly or indirectly communicating or
29 contacting the petitioner;
30 (e) Issuance of an Order to the proper law enforcement offices to enforce the
31 provisions of the Section;
32 (f) Issuance of an Order to the DSWD and the Social Welfare Development Office
33 (SWDO) of the LGU concerned to provide therapy, counselling, and other support
34 services to the aggrieved party or parties;
35 (g) Issuance of an Order for the restitution of actual damages caused by the violence
36 inflicted, including but not limited to property damage, medical expenses, and loss
37 of income; and
38 (h) Such other relief deemed necessary by the Court for the protection of the petitioner
39 and such other persons who may need the same.

40 Any of the reliefs provided under this Section shall be granted even in the absence of
41 a decree of legal separation or annulment, or declaration of absolute nullity of marriage in the
42 case of married individuals.

43 The application for a PO must be in writing, signed, and verified under oath by the
44 applicant. If the applicant is not the victim, the application must be accompanied by an
45 affidavit of the applicant attesting to:

- 46 1) The circumstances of the disclosure of the violence or abuse suffered by the
47 victim; and
48 2) The circumstances of consent, or lack thereof, given by the victim for the filing
49 of the application.

50 When disclosure of the address of the abused senior citizen will pose a danger to that
51 person's life, it shall be stated in the application. In such a case, the applicant shall attest that

1 the victim resides in the municipality or city over which the Court has territorial jurisdiction
2 and shall provide a mailing address for the purpose of serving court processes.

3 The standard application form for a PO shall include the following information:

- 4 1) Names and addresses of the petitioner and the respondent;
- 5 2) Description of the relationship between the petitioner and the respondent,
6 in the case of violence within the context of Section 4 of this Act;
- 7 3) A statement of the circumstances and the nature of violence or abuse;
- 8 4) Description of the reliefs requested by the petitioner as specified in this
9 section;
- 10 5) Request for counsel and reasons for such request;
- 11 6) Request for waiver of application fees until hearing; and
- 12 7) An attestation that there is no pending application for a PO in another
13 Court.

14 The following persons may file the petition for a PO:

- 15 1) The offended party;
- 16 2) Any member of the family or household of the victim, as defined in this
17 Act;
- 18 3) Social worker from the DSWD or the SWDO of the LGU or any accredited
19 social welfare organization;
- 20 4) Law enforcement officer or agent;
- 21 5) Lawyer, counsellor, therapist, or healthcare professional of the petitioner;
22 and
- 23 6) Any concerned responsible citizen of the community who has personal
24 knowledge of the offense committed

25 No filing fee shall be required for the application for a PO. An application for a PO
26 filed with the Court shall be considered an application for both a TPO and a PPO.

27 **SEC. 15. *Transfer of Residence; New Application Needed.*** - A petitioner previously
28 granted a BPO under this Act and who desires to relocate to a new residence outside the
29 original city or municipality of residence has to apply for a new BPO.

30 When a PO has been issued by a Court of competent jurisdiction and the person in
31 whose favor it is issued transfers to a place outside the court's jurisdiction, the person may
32 still have the order enforced by filing a petition before a court in the place where the person
33 has transferred. The petition to enforce the order shall include a copy of the previously
34 obtained PO. The respondent shall be notified of the issuance of a new PO.

35 **SEC. 16. *Legal Representation of Applicant for a PO.*** - If a petitioner for a PO is
36 requesting the appointment of a counsel because of a lack of economic means to hire a counsel
37 *de parte*, the Court shall immediately direct the Office of the Public Prosecutor who has
38 jurisdiction over the case to represent the petitioner in the hearing on the application sought.
39 The applicant who cannot afford to hire the services of a private counsel or lacks access to
40 family or conjugal resources, such as when the abuser controls the same, shall qualify for legal
41 representation by the DOJ, the Public Prosecutors' Office, or the PAO. However, a private
42 counsel offering free legal service is not barred from representing the petitioner with the
43 latter's consent, and with the leave of the Court.

44 **SEC. 17. *Barangay Protection Order (BPO).*** - The Lupong Tagapamayapa and the
45 Punong Barangay or Barangay Chairman issue a Barangay Protection Order (BPO). The
46 issuance of a BPO or the pendency of an application for a BPO shall not preclude the petitioner
47 from applying for, or the Court from granting, a TPO or PPO.

48 Application for a BPO shall follow the Rules on venue under the Local Government
49 Code of 1991 and its implementing rules and regulations.

50 A Punong Barangay or Barangay Chairperson who receives an application for a BPO
51 shall issue the PO to the applicant on the date of filing after *ex parte* determination of the basis
52 of the application. If the Punong Barangay or the Barangay Chairman is unavailable to act on

1 the application for a BPO, the application shall be acted upon by any available Lupong
2 Tagapamayapa or Barangay Kagawad. If the BPO is issued by a Barangay Kagawad when the
3 Punong Barangay and the Lupong Tagapamayapa are unavailable at the time of issuance,

4 A BPO issued by the Lupong Tagapamayapa, a Punong Barangay or Barangay
5 Chairperson, and Barangay Kagawad may cover the relief provided in Section 14 hereof and
6 shall be effective for fifteen (15) days. Immediately after the issuance of an *ex parte* BPO, the
7 Punong Barangay or Kagawad shall personally serve a copy of the same to the respondent, or
8 direct any barangay official to personally serve the order.

9 Within forty-eight (48) hours of issuance of an *ex parte* BPO, the Punong Barangay or
10 Barangay Kagawad must refer the case to the Lupong Tagapamayapa. The Lupong
11 Tagapamayapa shall hear the case within seven (7) days from the date of referral and within
12 the fifteen (15) - day effectivity period of the *ex parte* BPO.

13 Notice of the hearing shall be given to both parties. Subsequent to a hearing on the
14 merits of the application, the Lupong Tagapamayapa may extend a BPO that grants relief
15 under Section 14 for a period of six (6) months. The issuance of a BPO shall not preclude any
16 applicant from applying or receiving a subsequent BPO concerning the same matter.

17 **SEC. 18. *Temporary Protection Order (TPO)*.** - A Temporary Protection Order (TPO)
18 may be issued by a Court prior to the issuance of a Permanent Protection Order (PPO) and
19 shall be based on an application under Section 14 herein. Any application for TPO or PPO
20 must be made with territorial RTC, Metropolitan Trial Court, Municipal Trial Court or
21 Municipal Circuit Trial Court with territorial jurisdiction over the place of residence of the
22 offended family or the senior citizen victim who suffered violence described under Section 4
23 of this Act: *Provided, however,* That if a Family Court exists in the place of residence of the
24 person for whom the application is made, the application shall be filed with that Court.

25 A Court that receives an application for a PO shall issue a TPO on the date of the filing
26 of the application for *ex parte* determination that such order shall be issued. The TPO shall be
27 effective for thirty (30) days. The Court shall schedule a hearing on the issuance of a PPO prior
28 to or on the date of expiration of the TPO. The Court shall order the immediate service of the
29 TPO on the respondent by the Court Sheriff, who may obtain the assistance of law
30 enforcement agents for the purpose. The TPO shall include a notice of the hearing on the
31 merits of the issuance of the PPO.

32 **SEC. 19. *Permanent Protection Order (PPO)*.** - A Permanent Protection Order (PPO)
33 may be issued only by the Court after notice and a hearing.

34 Any application for TPO or PPO must be made with a RTC, Metropolitan Trial Court,
35 Municipal Trial Court or Municipal Circuit Trial Court with territorial jurisdiction over their
36 place of residence of the offended family or the abused senior citizen who suffered violence
37 described under Section 4 of the Act: *Provided, however,* That if a Family Court exists in the
38 place of residence of the person for who, the application is made, the application shall be filed
39 with that Court.

40 Respondent's non-appearance despite proper notice, or lack of a lawyer, or the non-
41 availability of the respondent's lawyer shall not be a ground for rescheduling or postponing
42 the hearing on the merits of the issuance of a PPO. If the respondent appears without counsel
43 on the date of the hearing on the PPO, the Court shall appoint a lawyer for the respondent
44 and immediately proceed with the hearing. In case the respondent fails to appear despite
45 proper notice, the Court shall allow *ex parte* presentation of the evidence by the applicant and
46 render judgment based on the evidence presented. The Court shall allow the introduction of
47 any history of abusive conduct of a respondent, even if the same was not directed against the
48 applicant or the person for whom the application is made.

49 The court shall, to the extent possible, conduct the hearing on the merits of the issuance
50 of a PPO in one (1) day. Where the court is unable to conduct the hearing within one (1) day
51 and the TPO issued is due to expire, the court shall continuously extend or renew the TPO for

1 the duration of the case until a final resolution is issued. Provided, however, that the PPO may
2 be modified by the Court accordingly to address the needs of the applicant.

3 The Court may grant any, some, or all of the reliefs provided in Section 14 hereof
4 through a PPO. A PPO shall be effective until revoked by a Court upon application of the
5 person in whose favor the order was issued. The Court shall ensure immediate service of the
6 PPO on the respondent. The Court shall not deny the issuance of a PO based on the lapse of
7 time between the act of violence or abuse as defined in Section 4 herein and the filing of the
8 application.

9 Regardless of the conviction or acquittal of the respondent, the Court must determine
10 whether or not the PPO shall become final. Even in a dismissal of the application for a PPO,
11 the same shall be granted as long as there is no clear showing that the act which the order
12 might arise did not arise did not exist.

13 Failure to act on an application for a PO within the period specified in the previous
14 sections without justifiable cause shall render the Lupong Tagapamayapa, the Punong
15 Barangay or the Barangay Chairman, the Barangay Kagawad, and the Official of the Judge
16 administratively liable.

17 **SEC. 20. *Priority Action on Application for a Protection Order.*** - Hearings on
18 applications for a PO under this Act shall have priority over all other proceedings. Barangay
19 officials, Lupong Tagapamayapa, and the Courts shall schedule and conduct hearings on
20 applications for a PO under this Act above all other businesses and, if necessary, suspend
21 other proceedings in order to hear applications for a PO. Respondents shall be notified of the
22 issuance of a PO.

23 **SEC. 21. *Prohibition Against Undue Influence Over a Protection Order Applicant.*** - A
24 Lupong Tagapamayapa, a Punong Barangay or Barangay Chairman, or the Court hearing an
25 application for a PO shall not order, direct, force, or in any way unduly influence the
26 application for a PO to compromise or abandon any of the reliefs sought in the application for
27 a PO provided under this Act. Section 7 of the Family Courts Act of 1997 shall not apply in
28 the proceedings where relief is sought under this Act. Failure to comply with this section shall
29 render the concerned individuals, official or Judge, administratively liable.

30 **SEC. 22. *Mutual Protection Order Prohibited.*** - No order for protection of the offender
31 or respondent may be granted by a Lupong Tagapamayapa, a Punong Barangay, a Barangay
32 Chairman, or the Courts.

33 **SEC. 23. *Complaint Against a Violation of Protection Order.*** - A complaint on the
34 violation of a BPO issued under this Act shall be filed directly with any Municipal Trial Court,
35 Metropolitan Trial Court, or Municipal Circuit Trial Court that has territorial jurisdiction over
36 the barangay that issued the BPO. Violation of a BPO shall be punishable by imprisonment of
37 thirty (30) days without prejudice to any other criminal or civil action that the offended party
38 may file for any of the acts committed under Sec. 4 hereof.

39 A judgment on a violation of a BPO may be appealed in accordance with the Rules of
40 Court. During trial and upon judgment, the trial court may, motu proprio, issue a PO as it
41 deems necessary, without the need for an application.

42 A violation of any provision of a TPO or a PPO issued under this Act shall constitute
43 contempt of Court, punishable under the Rules of Court, without prejudice to any other
44 criminal or civil action that the offended party may file for any of the acts committed in
45 accordance with Section 4 hereof.

46 Any violation of a PO issued under this Act shall constitute an offense punishable by
47 imprisonment of thirty (30) days, without prejudice to any criminal or civil action that the
48 offended party may file against a person who has committed any acts described in Section 4
49 hereof.

50 A complaint on a violation of a PO shall be filed by the complainant directly with the
51 Court that issued the order, or with that Court in the place of residence of the complainant, if
52 the former is not practicable.

1 A criminal case for violation of a PO shall be tried and resolved by the Court within
2 sixty (60) days from the date the complaint was filed. The Court, upon determination of
3 probable cause, shall cause the arrest of the accused who may post bail in the interim in an
4 amount to be determined by the Court.

5 A judgment on a violation of a PO may be appealed according to the Rules of Criminal
6 Procedure. During trial and upon judgment, the Court may, motu proprio, appoint a PO as it
7 deems necessary.

8 **SEC. 24. *Hold Departure Order.*** - A hold departure order shall be issued immediately
9 by the Court against the respondent of a complaint of abuse against a senior citizen as
10 described under this Act.

11 **SEC. 25. *Penalties.*** - Commission of the acts described under Sec. 3 hereof shall suffer
12 the following penalties:

13 (a) Acts failing under Section 4(a), constituting attempted, frustrated, or
14 consummated parricide, murder, or homicide, shall be punished in accordance
15 with the provisions of the Revised Penal Code.

16 (b) Acts falling under Section 4 (a) resulting in mutilation shall be punishable in
17 accordance with the Revised Penal Code: Provided, that those resulting in serious
18 physical injuries shall be punishable with the penalty of prision mayor; those
19 resulting in less serious physical injuries shall be punishable by prision correccional
20 and those resulting in slight physical injuries shall be punishable by arresto mayor.

21 (c) All other acts enumerated in Section 4 hereof shall be punishable by imprisonment
22 and a fine in an amount not less than one hundred thousand pesos (P100,000.00)
23 but not more than three hundred thousand pesos (P300,000.00).

24 In addition to these penalties, a person found guilty of any of the acts enumerated in
25 Section 4 hereof shall be required to undergo mandatory psychological counselling or
26 psychiatric treatment and shall report compliance therewith to the court.

27 A Barangay Official or law enforcer who fails to respond to any request for assistance
28 or protection from or on behalf of a victim shall suffer imprisonment of six (6) months to one
29 (1) year, at the discretion of the Court and pay fine of not less than Five thousand pesos
30 (P5,000.00), but not more than Ten thousand pesos (P10,000.00).

31 Any person who fails to report any act of violence described in Section 3 hereof as
32 required herein shall be liable for a fine of not less than Ten thousand pesos (P10,000.00).
33 Whenever applicable, criminal or administrative charges may also be filed.

34 **SEC. 26. *Counseling and Treatment of Offenders.*** - The DSWD shall provide
35 rehabilitation counselling and treatment of perpetrators towards learning constructive ways
36 of coping with anger and emotional outbursts and reforming their ways. When necessary, the
37 offender shall be ordered by the Court to submit to psychiatric treatment or confinement.

38 **SEC. 27. *Appropriations.*** - The amount necessary for the initial implementation of this
39 Act shall be charged against the current year's appropriations of the concerned departments.
40 Thereafter, the amount needed for the continued implementation of this Act shall be included
41 in the budget of the concerned departments in the annual General Appropriations Act.

42 For LGUs, the implementation of these programs shall be charged against the interval
43 revenue allotment and other internally generated funds of the concerned LGU.

44 In addition, the departments concerned and the LGUs may accept donations,
45 contributions, and grants from various sources for the purpose of implementing this Act.

46 **SEC. 28. *Implementing Agency.*** - Initially, the implementation of this Act shall be
47 carried out by the Department of Social Welfare and Development (DSWD), in coordination
48 with the Department of the Interior and Local Government (DILG), the Department of Justice
49 (DOJ), the Philippine National Police (PNP), and local government units (LGUs).

50 Once the transition of all functions, duties, and responsibilities relating to senior
51 citizens has been completed pursuant to Republic Act No. 11350 or the Act creating the
52 National Commission of Senior Citizens (NCSC), the full implementation of this Act,

1 including policy direction, coordination, monitoring, and evaluation, shall be transferred to
2 the NCSC. The DSWD and other agencies shall ensure a smooth transition in coordination
3 with the NCSC.

4 During the transition period, the DSWD shall continue to perform its role in
5 implementing this Act and providing services to senior citizens until the NCSC is fully
6 capacitated to assume its mandate.

7 SEC. 29. *Implementing Rules and Regulations (IRR)*. - Within six (6) months from the
8 approval of this Act, the Chairperson of the NCSC and the Secretary of the DSWD, in
9 coordination with the Secretaries of the DOJ, the Department of Interior and Local
10 Government (DILG), and the DOH, shall formulate rules and guidelines as may be necessary
11 for the proper implementation and enforcement of this Act. This shall include developing
12 protocols and training programs for all relevant agencies and public officers, as well as a
13 public information and education program on violence against senior citizens. The
14 implementing rules and regulations (IRR) provided for under this Act shall be reviewed
15 periodically and revised if necessary.

16 SEC. 30. *Suppletory Application*. - For purposes of this Act, the Revised Penal Code
17 and other applicable laws shall have suppletory application.

18 SEC. 31. *Separability Clause*. - If any provision of this Act shall be declared
19 unconstitutional or invalid, such declaration shall not invalidate other parts thereof, which
20 shall remain in full force and effect.

21 SEC. 32. *Repealing Clause*. - All laws, presidential decrees, executive orders, rules and
22 regulations, or parts thereof which are inconsistent with or contrary to the provisions of this
23 Act are hereby amended, repealed, or modified accordingly.

24 SEC. 33. *Effectivity* .- This Act shall take effect fifteen (15) days after its publication in
25 the Official Gazette or any newspaper of general circulation.

26 *Approved,*