

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3647



Introduced by AKBAYAN Representatives Percival Cendaña, Atty. Jose Manuel “Chel” Diokno, and Dadah Kiram Ismula and Dinagat Islands Representative Kaka Bag-ao

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

Prefatory Statement

Characterized as an “invisible issue”, elder abuse is a serious form of violence happening often in households where the perpetrators are usually family members of the victim. No longer just an aggravating circumstance, per this proposed legislation, elderly abuse is a crime in and of itself and characterized with acts that take advantage of the special vulnerability of senior citizens.

The World Health Organization reported that around 1 in 6 people 60 years and older experienced some form of abuse in community settings during the past years. The problem may get worse as the number of senior citizens increase. The global population of the elderly will more than double, from 900 million in 2015 to about 2 billion in 2050. Meanwhile, the Philippines’ elderly population has been steadily increasing in both size and proportion. In 2021, senior citizen population in the country has breached 10 million, according to the Commission on Population and Development, and between 2025 to 2030, the country’s population would start to age. The lack of criminal prohibition, reporting mechanisms, and support for victims of elder abuse often result to underreporting and lack of research. Furthermore, older persons are also isolated from social contacts and may have difficulty accessing services which have migrated to digital platforms. Hence, the tag “invisible”.

Elder abuse, according to the World Health Organization, is “a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.” It can take various forms such as financial, physical, psychological, sexual, and neglect. This bill aims to

define and prohibit elderly abuse, establish a senior citizen help desk in the barangays, provide social protection programs and support for victim-survivors, counselling and rehabilitation for offenders, affirmative acts such as public awareness-raising, and training as well as capacity-building programs for intervenors.

It is time to protect our elderly from violence that comes in all forms and exploits their vulnerability and marginalization. For the aforementioned reasons, the passage of this bill is earnestly sought.



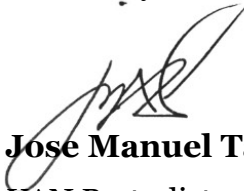
Rep. Percival Cendaña

AKBAYAN Party-list



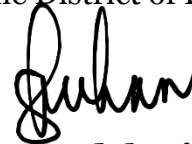
Rep. Kaka Bag-ao

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PENALTIES THEREFORE, AND FOR OTHER PURPOSES

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 Law
2 of 2025”.

3
4 **Section 2. Declaration of Policy** – Pursuant to Article II, Section 11 of the
5 Philippine Constitution, the State values the dignity of every human person and thereby
6 guarantees the full respect for human rights, and Article III, Section 1, which mandates
7 that “No person shall be deprived of life, liberty, or property without due process of law,
8 nor shall any person be denied the equal protection of the laws,” it is hereby declared the
9 policy of the State to work actively for the elimination of all forms of discrimination,
10 violence and abuse against the elderly.

11
12 Moreover, the following Constitutional provisions also mandate that:

13
14 “The State shall promote a just and dynamic social order that will ensure the prosperity
15 and independence of the nation and free the people from poverty through policies that
16 provide adequate social services, promote full employment, a rising standard of living and
17 an improved quality of life for all.” (Article II, Section 9)

18
19 “The State shall adopt an integrated and comprehensive approach to health development
20 which shall endeavor to make essential goods, health and other social services available
21 to all the people at affordable cost. There shall be priority for the needs of the
22 underprivileged sick, elderly, disabled, women and children.” (Article XIII, Section 12 on
23 Health Services)

24
25 “The family has the duty to take care of its elderly members but the State may also do so
26 through just programs of social security.” (Article XV, Section 4 on the Filipino Family)

1 In addition, Republic Act No. 9262 or the VAWC Act declares that the State shall exert
2 efforts to address violence committed against women, and Republic Act No. 9710 or the
3 Magna Carta of Women Section 33 on the Protection of Senior Citizens state that “the
4 State shall protect women senior citizens from neglect, abandonment, domestic violence,
5 abuse, exploitation, and discrimination.”
6

7 Towards this end, the following discriminatory and abusive practices committed against
8 senior citizens defined herein shall be proscribed and penalized. Moreover, the State shall
9 ensure the establishment of support services and special protective mechanisms to
10 safeguard older people against violence, sexual abuse, exploitation, and discrimination.
11

12 **Section 3. Definition of Terms –**

- 13
- 14 a. *Battery* – The act of inflicting physical harm resulting to physical and psychological or
15 emotional distress.
16
- 17 b. *Discrimination* - Any distinction, exclusion, restriction, or preference, whether actual
18 or perceived, and which has the purpose or effect of nullifying or impairing the
19 recognition, enjoyment, or exercise by all persons of an equal footing of all rights and
20 freedoms.
21
- 22 c. *Elder Abuse* - Any act of commission or of omission (“neglect”) to an elderly that may
23 either be intentional or unintentional, resulting in unnecessary suffering, injury or
24 pain, the loss or violation of human rights, and a diminished quality of life for the older
25 person. It may take the form of physical, psychological and emotional abuse, neglect,
26 financial or material exploitation, medical maltreatment, sexual exploitation and
27 abandonment. Some cases involve more than one type of abusive behavior, such as the
28 abuser victimizing the elderly person both physically and emotionally.
29
- 30 d. *Elderly* refers to any resident of the Philippines at least sixty (60) years of age;
31
- 32 e. *Financial or Material abuse* - The illegal or improper exploitation or use of funds or
33 resources of the elderly. Applies to acts that make or attempt to make an older person
34 financially dependent, and/or the actual deprivation or threat of deprivation of
35 financial resources such as withdrawal of financial support, including controlling the
36 victim-survivor’s own money or properties.
37
- 38 f. *Marginalization* – Any condition where people are systematically excluded from
39 meaningful participation in economic, social, political, cultural and other forms of
40 human activity in their communities and thus are denied the opportunity to fulfil
41 themselves as human beings.
42
- 43 g. *Neglect* - Consists of the refusal or failure to fulfill a care-giving obligation. It may be a
44 result of a conscious and intentional attempt to inflict physical or emotional distress
45 on the older person.
46

- 1 h. *Physical abuse* - The infliction of pain or injury, physical coercion, or physical or drug-
2 induced restraint. Includes intentional acts of violence that inflict bodily or physical
3 harm.
4
- 5 i. *Psychological or Emotional abuse* - The infliction of mental anguish. Applies to acts
6 and/or omissions causing or likely to cause mental or emotional suffering such as but
7 not limited to intimidation, public ridicule and humiliation, mockery and vilification,
8 repeated verbal abuse, harassment, and threats.
9
- 10 j. *Senior Citizen* – is a person 60 years old or older; it may be used interchangeably with
11 the terms “elder”, “elderly”, or “older person,” which are more encompassing in
12 reference to older people.
13
- 14 k. *Sexual abuse* - A non-consensual sexual contact of any kind with an elderly. Applies to
15 acts which are sexual in nature such as sexual harassment, acts of lasciviousness, rape
16 and/or sexual assault.
17

18 **Section 4. Meaning and Context of Elder Abuse** – Under this Act, advanced
19 age or elderliness shall no longer be considered as a mere “aggravating circumstance” in
20 an offense. As in the case of child abuse, age shall be appreciated with the added
21 dimension of vulnerability, a vulnerability an offender or perpetrator takes advantage of.
22

23 Elder abuse may be defined as “a single or repeated act, a lack of appropriate action,
24 occurring within any relationship where there is an expectation of trust and support, that
25 causes harm or distress to an older person”.
26

27 **Section 5. Prohibited Acts Constituting Elder Abuse –**
28

- 29 a. Physical abuse is defined as the use of physical force that may result in bodily injury,
30 physical pain, or impairment. Physical abuse may include but is not limited to such
31 acts of violence as striking (with or without the use of an object), hitting, beating,
32 pushing, shoving, shaking, slapping, kicking, pinching, and burning. In addition,
33 inappropriate use of drugs and physical restraints, force-feeding, and physical
34 punishment of any kind are also considered physical abuse.
35
- 36 b. Sexual abuse is defined as a non-consensual sexual contact of any kind with an elderly
37 person. Sexual contact with any older person incapable of giving consent is also
38 considered sexual abuse. It includes, but is not limited to, unwanted touching, all types
39 of sexual assault or battery, such as rape, sodomy, coerced nudity, and capturing
40 sexually explicit acts in photographs and video.
41
- 42 c. Emotional or psychological abuse is defined as the infliction of anguish, pain, or
43 distress through verbal or nonverbal acts. Emotional/psychological abuse includes but
44 is not limited to verbal assaults, insults, threats, intimidation, humiliation, and
45 harassment. In addition, treating an older person like an infant; isolating an elderly
46 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.

- d. 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.
- e. 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.
- f. 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);
- b. Acts constituting attempted, frustrated, or consummated parricide, murder or homicide shall be penalized according to the RPC, especially if it results to mutilation;
- c. 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*;
- d. Any act constituting sexual abuse or similar sexual-related offenses shall suffer the penalty of *prision mayor*;
- e. Any act constituting psychological and/or emotional abuse shall suffer the penalty of *prision mayor*;
- f. Any act constituting financial, economic or material abuse shall suffer the penalty of *prision correccional*;
- g. Any act constituting neglect or abandonment of an older person shall suffer the penalty of by *arresto mayor*;

- 1
2 h. The penalty provided shall be imposed in its maximum period:
3 1. If the offender-perpetrator has been previously convicted under this Act;
4
5 2. If the offender is a descendant, collateral relative or family member of up to the 2nd
6 degree of consanguinity or affinity;
7
8 3. If the offender is an owner-operator, manager, or employee of a privately-operated,
9 for profit or non-profit, elderly facility;
10
11 4. If the offender is a public official, staff or employee of a government-operated
12 elderly residential care facility; Provided, that said public servant or employee can
13 be subjected to suspension and/or termination based on administrative
14 procedures.
15

16 In cases involving elderly residential care facilities and homes for the aged, the
17 above-mentioned penalties shall not preclude the consequent civil case for
18 damages or administrative charges that may also result in the suspension or
19 revocation of accreditation or license to operate from the Department of Social
20 Work and Development (DSWD).
21

22 **Section 7. *Enforcement and Protocols* –**

23

- 24 a. Public Crime - Elder abuse shall be considered a public offense which may be
25 prosecuted upon the filing of a complaint by any citizen having personal knowledge of
26 the circumstances involving the commission of the crime;
27

28 The following persons may file a complaint for elder abuse –
29

- 30 a. The offended older person
31
32 b. Anyone with personal knowledge of the circumstances involving the commission of
33 the crime, including:
34 i. A caregiver, family member or collateral relative within the 4th degree of
35 consanguinity or affinity;
36 ii. A healthcare provider, therapist, or counselor;
37 iii. A fellow senior citizen from an elderly organization, or a churchmate from the
38 parish;
39 iv. A priest or a church leader;
40 v. Barangay officials, including *Barangay Tanods* and other barangay personnel;
41 vi. Social Welfare Officers from the DSWD or Local Government Unit;
42 vii. Police or other law enforcement officers.
43
44 c. Barangay officials or law enforcers shall respond immediately to a call for help or
45 request for assistance by entering the dwelling or wherever the incident occurs,
46 checking on the well-being of the victim, and ensuring the safety of the victim-survivor;

1 As immediate responders, they must also transport or escort the victim to a safe place
2 of their choice or to a clinic or hospital, if and when necessary;

- 3
- 4 d. Immunity - Any person or private individual acting in accordance with the law,
5 responds or intervenes without using violence or restraint greater than necessary to
6 ensure the safety of the victim, shall not be liable for any criminal, civil, or
7 administrative case resulting therefrom.
- 8
- 9 e. Prohibited Defense - Being under the influence of alcohol, any illicit drugs, or any other
10 mind-altering substance shall not be a defense under this Act.
- 11
- 12 f. Prohibited Acts by Government Officials - Any barangay official or court hearing an
13 application for a Protection Order for an abused elderly shall not order, direct, force,
14 or in any way influence the applicant to compromise or abandon any of the reliefs
15 sought. Failure to comply shall render the official or judge administratively liable.
- 16
- 17 g. The DSWD, the Department of Health (DOH), and the National Commission of Senior
18 Citizens (NCSC) shall require physicians, caregivers, or social workers who suspect ill-
19 treatment of senior citizens to discuss the concern with the family or the head of the
20 nursing home or elderly facility. In case the ill-treatment is confirmed, or in the event
21 of suspicious death, the same shall be reported to the appropriate authorities.
- 22
- 23 h. Confidentiality - All cases pertaining to elder abuse including those at the barangay
24 level shall be confidential, and all public officers and employees of public or private
25 hospitals/clinics shall respect the right to privacy of the victim-survivor. Any person
26 who shall make public any relevant or identifying information about the case or the
27 victim shall be made liable for contempt of court and shall suffer the penalty of a fine
28 of two hundred thousand pesos (PHP 200,000.00).
- 29

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

35

36 **Section 9. Mandatory Programs and Services for Victims of Elder**
37 **Abuse** – The NCSC, DSWD and LGUs shall provide the victims temporary shelter,
38 counseling, psycho-social services and/or recovery and rehabilitation programs, and
39 financial assistance.

40

41 The NCSC/Office of Senior Citizens Affairs (OSCA) shall include services addressing
42 gender-based violence as well as elder abuse. All suspected cases of abuse and/or neglect
43 of senior citizens must be reported in accordance with existing laws. The NCSC/OSCA, in
44 coordination with the Local Social Welfare and Development Officer (LSWDO), shall
45 maintain an elder abuse documentation and case monitoring system, and set up a
46 databank to keep an accurate and reliable record of instances of abuse and violence
47 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. The 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 caregivers, and staff and employees of nursing homes and/or elderly residential facilities, specifically on handling older person abuse.

Section 12. Affirmative Acts – 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; and
- 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.

- 1
2 e. Continue to develop and initiate programs and services for senior citizens that are
3 gender-responsive, rights-based, and culture-sensitive so as to ensure specific needs
4 and concerns of senior citizens are identified and addressed.
5
6 f. Review school curricula and teaching modules through the Department of Education
7 and the Commission on Higher Education to highlight with renewed focus the
8 importance of family values, filial piety, and respect for the elderly.
9

10 **Section 13. *Implementing Rules and Regulations.*** – The NCSC and the
11 DSWD, in consultation with the Department of the Interior and Local Government
12 (DILG), Department of Health (DOH), other relevant government agencies, LGUs, and at
13 least two (2) elderly-focused non-government organizations with a proven track record,
14 shall promulgate the *Implementing Rules and Regulations (IRR)* of this Act within six
15 (6) months from its approval.
16

17 **Section 14. *Separability Clause.*** – If any provision of this Act is held
18 unconstitutional or invalid, such provision shall not affect the enforceability and
19 effectivity of the its remaining provisions.
20

21 **Section 15. *Repealing Clause.*** – All laws, decrees, executive orders, issuances,
22 and rules and regulations, or parts thereof inconsistent with the provisions of this Act are
23 hereby repealed or modified accordingly.
24

25 **Section 16. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
26 its publication in the *Official Gazette* or in a newspaper of general circulation.
27

Approved,