

Republic of the Philippines
House of Representatives
Quezon City

20th Congress
First Regular Session

House Bill No. 3932



Introduced by Representative Reynante U. Arrogancia

EXPLANATORY NOTE

Article XV, Section 4 of the 1987 Constitution provides that the family has the duty to care for its Senior Citizen members but the State may also do so through just programs of social security. Filipinos are by nature respectful and caring of our Senior Citizens. However, occurrences of mistreatment and abuse directed towards the Senior Citizen have happened and continue to happen. This bill seeks to explicitly address violence against older persons in the country. A law that focuses on the abuse of older individuals will increase awareness and address this rapidly growing but rarely discussed issue on the violence and mistreatment of older individuals.

The World Health Organization has defined abuse of older people or Senior Citizen abuse as 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.¹ Mistreatment against older individuals could result in physical wounds, psychological harm, financial loss, and early death.

The abuse can occur in the older person's home, community or institutional facility. A 2027 review of studies in 28 countries has estimated that 1 in 6 people (15.7%) aged 60 years and older were subjected to a form of abuse.² There is also a review on abuse of older people in institutional settings that 64.2% of staff reported perpetrating some form of abuse.³

Older persons have the right to respect, dignity, and to live their lives in harmony, hence passage of this bill is earnestly sought.


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¹ <https://www.who.int/news-room/fact-sheets/detail/abuse-of-older-people>

² *ibid*

³ *ibid*

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

AN ACT
DEFINING SENIOR CITIZEN ABUSE AND PROVIDING PENALTIES
THEREFOR

Section 1. Short Title. This Act shall be known as the “Anti- Senior Citizen Abuse Law of 2025”.

Section 2. Declaration of Policy. - It is the policy of the state to value the dignity of every human and adopt an integrated and comprehensive approach to health development, making essential goods and social services available especially to vulnerable such as the Senior Citizen. Towards this end, the State shall actively eliminate all forms abuse and adopt a program for the prevention and protection against the Senior Citizen.

Section 3. Definition of Terms. For the purpose of this Act, these terms are defined as follows:

- a. Discrimination – refers to any distinction, exclusion, restriction, or preference which is based on any ground such as sex, sexual orientation, gender identity, whether actual or perceived, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise by all s of an equal footing of all rights and freedoms.
- b. Senior Citizen - refers to any Filipino citizen who is a resident of the Philippines, and who is sixty (60) years old or above. It may apply to senior citizens with dual citizenship status, provided, they prove their Filipino citizenship and have at least six (6) months residency in the Philippines.
- c. Senior Citizen Abuse - refers to an intentional or neglectful act or repeated act, occurring within any relationship where there is an expectation of trust, including in healthcare settings, which causes or will cause harm or distress to

the Senior Citizen. The abuse may be physical, sexual, psychological abuse; financial and material abuse; and neglect.

- d. Financial or Material Abuse – refers to the illegal or improper exploitation or use of funds or resources of the Senior Citizen that applies to acts that make Senior Citizen financially dependent and/or threatened to deprive or deprived of financial resources such as withdrawal of financial support including fraudulently controlling the Senior Citizen’s own money or properties.
- e. Neglect – refers to refusal or failure to fulfill a care giver’s responsibilities to respond to the Senior Citizen’s needs and willfully depriving the Senior Citizen of their basic physical needs and access to health care. Neglect may occur in the Safe Place or Shelter as defined in this Act.
- f. Physical Abuse – refers to a deliberate aggressive or violent behavior against Senior Citizen that results in bodily injury. Physical abuse may include but is not limited to such acts of violence as striking with or without 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 are also examples of physical abuse.
- g. Psychological Abuse – refers to behavior intended to undermine a senior citizen’s well-being or self-esteem resulting in psychological or emotional distress. Psychological abuse includes verbal assaults, public ridicule, harassment, social isolation, threats, bullying and cyberbullying.
- h. Safe Place or Shelter – refers to the homes/shelters for the Senior Citizen managed by the Local Government Units (LGUs), Department of Social Welfare and Development (DSWD), National Commission of Senior Citizens (NCSC), Non-Government Organizations, and/ or private institutions.
- i. Sexual abuse – refers to any non-consensual contact with Senior Citizen which are sexual in nature such as but not limited to sexual harassment, acts of lasciviousness, rape and/or sexual assault. Sexual contact with a Senior Citizen 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 as rape, sodomy, coerced nudity, and capturing sexually explicit acts in photographs and video.

Section 4. Prohibited Acts Constituting Senior Citizen Abuse. – Senior Citizen Abuse is committed through any of the following acts:

- a. When a person intentionally commits physical abuse against the Senior Citizen, with knowledge that the victim is a Senior Citizen person, and the physical abuse caused illness, physical incapacity or bodily injury on the victim;
- b. When a person intentionally commits sexual abuse against the Senior Citizen;

- 74 c. When a person intentionally commits against the Senior Citizen psychological,
75 mental or emotional abuse causing mental or emotional suffering or distress;
76
77 d. When a person responsible for the care of a vulnerable Senior Citizen
78 intentionally neglects the victim by withholding essential food, medicines or
79 access to medical care, assistances to perform daily living tasks when in any of
80 these instances the Senior Citizen can no longer perform the aforementioned
81 acts themselves;
82
83 e. When a person intentionally commits financial or material abuse against the
84 Senior Citizen through illegal or improper use of the victim's funds or
85 resources that results in the financial dependency and incapacity or destitution
86 of the victim.
87

88 **Section 5. Penalties.** The crime of Senior Citizen Abuse shall be punished according
89 to the following rules:

- 90 a. Acts falling under Section 4 (a) and (b) shall be punished in accordance with
91 the penalties provided under the Revised Penal Code;
92 b. Acts falling under Section 4 (c) and (d) shall be punishable by *prisión correccional*
93 in its minimum and medium periods or a fine, or both;
94 c. Acts falling under Section 4 (e) shall be *prisión correccional* in its minimum and
95 medium periods or the penalty of actual, exemplary and moral damages, or
96 both.
97

98 The penalty provided herein shall be in its maximum period if:

- 99 a. The offender-perpetrator has been previously convicted under this Act;
100 b. The offender is a relative of up to the 2nd degree of affinity or consanguinity of
101 the victim;
102 c. The offender is an employee or owner of a Safe Place or Shelter;
103

104 The above-mentioned penalties shall not preclude the filing of the appropriate civil
105 action or administrative cases including the suspension or revocation of
106 accreditation or license to operate a Safe Place or Shelter.
107

108 **Section 6. Enforcement and Protocols**
109

- 110 a. Public Crime – Senior Citizen abuse shall be considered a public crime which
111 may be prosecuted upon the filing of a complaint by any citizen having
112 personal knowledge of the circumstances involving the commission of the
113 crime;
114
115 b. Barangay officials or law enforcers shall respond immediately to a call for help
116 or request for assistance by entering the dwelling, checking on the well-being
117 of the victim, and ensuring the safety of the victim-survivor; As immediate
118 responders, they must also transport or escort the victim, to a safe place of their
119 choice or to a clinic or hospital, if and when necessary;

- 120
121 c. Immunity – any person acting in accordance with law, responds or intervenes
122 without using violence or restraint greater than necessary to ensure the safety
123 of the victim, shall not be liable for any criminal, civil, or administrative case
124 resulting therefrom.
125
126 d. Prohibited acts by government officials. – Any government official or court
127 officials acting on the application for a Protection Order for an abused Senior
128 Citizen woman according to RA 9262 or VAWC Act, shall not order, direct,
129 force, or in any way influence the applicant or the application to enter into a
130 compromise or abandon any of the reliefs sought under RA 9262 and in
131 accordance with this Act.
132
133 e. The NCSC, DSWD and Department of Health (DOH) shall require physicians,
134 caregivers, or social workers who suspect ill treatment of senior citizens to
135 discuss the concern with the family or the head of the nursing home or Senior
136 Citizen facility. In case the ill-treatment is confirmed, or in the event of
137 suspicious death, the same shall be reported to the appropriate authorities. The
138 mandatory report should be strictly confidential and should not be a
139 prerequisite for the filing of a cause of action under this Act.
140
141 f. Confidentiality – all cases pertaining to Senior Citizen abuse including those at
142 the barangay level shall be confidential, and all public officers and employees
143 of public or private hospitals/clinics shall respect the right to privacy of the
144 victim-survivor. Any person who shall make public and relevant or identifying
145 information about the case or the victim shall be liable for contempt of court
146 and shall suffer the penalty of one year imprisonment and a fine of P500,000.00.
147

148 ***Section 7. Establishment of a Senior Citizens Help Desk.*** – Every barangay shall
149 establish a Senior Citizens Help Desk which shall provide immediate assistance to
150 victim survivors of Senior Citizen abuse. Besides barangay officials, it may be
151 manned by duly accredited representatives of the senior citizens sector or from the
152 membership of a local Senior Citizen organization designated and authorized by
153 the Barangay Council.
154

155 ***Section 8. Rights of the Victims.*** Victims of Senior Citizen Abuse shall have the
156 following rights:

- 157 a. To be treated with respect, dignity and confidentiality;
158 b. To avail of legal assistance from the Public Attorney's Office (PAO);
159 c. To be entitled to support services from the NCSC and other concerned agencies
160 and LGUs;
161 d. To be informed of their rights and available services including protection order.
162

163 ***Section 9. Mandatory Programs and Services for Victims of Senior Citizen Abuse***
164 – The NCSC, as the lead agency and other relevant agencies shall provide the

victims temporary shelter, counseling, psycho-social services and/or recovery, rehabilitation and financial assistance.

The Office of the Senior Citizens Affairs (OSCA) shall include services addressing gender-based violence as well as Senior Citizen abuse. All suspected cases of abuse and/or neglect of senior citizens must be reported in accordance with existing laws. The OSCA, in coordination with the Local Social Welfare and Development and Officer (LSWDO), shall maintain a Senior Citizen 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 Senior Citizen.

Section 10. Trainings and Capacity-Building for Intervenors. – All government agencies involved in responding to Senior Citizen Abuse cases shall be required to undergo education and training, to be conducted by the NCSC on the following:

- a. The nature, extent, causes, and risk factors of Senior Citizen Abuse;
- b. The legal rights and remedies of victims of Senior Citizen Abuse;
- c. Legal duties of barangay officials, LGU personnel, police officers, court authorities, and other persons offering assistance and protection to victims of Senior Citizen Abuse;
- d. Available services and facilities for victims of Senior Citizen Abuse; and
- e. Methods in handling Senior Citizen Abuse cases to minimize injury, protect the privacy, promote the safety, and ensure the well-being of the victim.

The Department of Health (DOH), in partnership with relevant public and private institutions, shall provide capacity building training 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 Senior Citizen Abuse.

Section 11. Funding. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act (GAA).

Section 12. Implementing Rules and Regulations. Within six (6) months from the approval of this Act, the NCSC, in coordination with DSWD, DOJ, DOH, DILG and the Philippine National Police (PNP), and in consultation with concerned stakeholders, shall promulgate the implementing rules and regulations for the effective implementation of this Act.

Section 13. Suppletory Application. The Revised Penal Code and other applicable laws shall have suppletory application in the implementation of this Act.

Section 14. Separability Clause. If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

211 **Section 15. Repealing Clause.** All other laws, acts, presidential decrees, executive
212 orders, presidential proclamations, issuances, rules and regulations, or parts
213 thereof which are contrary to or inconsistent with any of the provisions of this Act
214 are hereby repealed, amended, or modified accordingly.

215
216 **Section 16. Effectivity.** This Act shall take effect fifteen (15) days after its
217 publication in the Official Gazette or in a newspaper of general circulation.
218

Approved.