

TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

)
)

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 4772



Introduced by **REPRESENTATIVE MA. NINA FRANCESCA P. LACSON**

EXPLANATORY NOTE

No less than the Constitution itself provides, in Article XIII, Section 1, that Congress shall give the highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good. This constitutional mandate serves as guiding light in the pursuit of legislation that uplifts the marginalized and ensures that no sector of society is left behind.

It is under this mandate that we continue to seek ways to improve the lives of our citizenry, particularly those who require greater care and assistance. Among them are our senior citizens, who have devoted the prime years of their lives in service to their families, communities, and nation, and our persons with disabilities (PWDs), whose daily struggles demand both compassion and responsive public policy. These sectors deserve not only our recognition but also tangible benefits that will ease their burdens and affirm their dignity.

Through this measure, we aim to strengthen the support extended to these vulnerable groups by providing them with improved benefits, enabling them to enjoy the fruits of their years of service and resilience. The ultimate intention of this bill is to alleviate the financial challenges they face, to ensure that they live not in neglect but with security befitting their contributions and needs.

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


MA. NINA FRANCESCA P. LACSON
Manila Teachers Party-list

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 4772

Introduced by **REPRESENTATIVE MA. NINA FRANCESCA P. LACSON**

AN ACT
ENHANCING THE DISCOUNT ON THE PURCHASE OF GOODS AND SERVICES OF SENIOR CITIZENS AND PERSONS WITH DISABILITIES

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

SECTION 1. *Declaration of Policy.* - The State shall promote a just and dynamic social order that shall ensure the nation's prosperity and independence as well as free its people from poverty. The State shall provide social justice in all phases of national development, and value the dignity of every human person, and guarantee full respect for human rights.

The State shall adopt an integrated approach to health development which shall endeavor to make essential goods, health, and other social services available to all at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, and persons with disabilities.

To this end, the State shall preserve the preferential treatment accorded to senior citizens and persons with disabilities, and proportionately distribute its costs between the government and the people.

SEC. 2. *Applicability of Discounts of Senior Citizens and Persons with Disabilities to Goods and Services on Promotional Offer.* - The discount granted to senior citizens and persons with disabilities, including the twenty percent (20%) discount and exemption from the value-added tax (VAT) on goods and services, or the special discount on purchase of basic necessities and prime commodities, as provided under Section 4 of Republic Act (RA) No. 7432, otherwise known as "Senior Citizens Act," as amended, and Section 32 of RA No. 7277, otherwise known as "Magna Carta for Disabled Persons with Disability," as amended, shall be in addition to any prevailing promotional offers or discounts extended by business establishments, if any, has been provided, but in no way that it will require presentation of booklets in the procurement of goods.

In no case shall a promotion or discount offered by a business establishment to the general public be considered in compliance with Section 4 of RA No. 7432, as amended, and Section 32 of RA No. 7277, as amended.

SEC. 3. *Tax Treatment of Discounts.* - The twenty percent (20%) discount for senior citizens or persons with disabilities applied on certain goods and services, the input tax attributable to the VAT-exempt sale to senior citizens and persons with disabilities, and the special discount on basic necessities and prime commodities, shall be treated as part of deductible expense pursuant to Section 34 of the National Internal Revenue Code of 1997, as amended.

The establishments may claim the discounts granted under subsections (a), (c), and G) of Section 4 of RA No. 7432, as amended, and subsection (a), paragraphs (I), (2), (3), (5), (6), (7) and (8) and subsection (d) of Section 32 of RA No. 7277, as amended, as deduction based on the net cost of goods sold or services rendered: *Provided*, That the cost of the discount shall be allowed as deduction from gross income for the same taxable year that the discount is granted: *Provided, further*, That the total amount of the claimed tax deduction net of VAT, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and to the provisions of the *National Internal Revenue Code*, as amended.

SEC. 4. *Implementing Rules and Regulations.* - The National Commission of Senior Citizens and the National Council on Disability Affairs, in consultation with the Department of the Interior and Local Government, Department of Trade and Industry, Department of Information and Communications Technology, Department of Health, Department of Finance, Bureau of Internal Revenue, and other relevant agencies and stakeholders, shall promulgate the necessary rules and regulations for the effective implementation of the provisions of this Act.

SEC. 5. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 6. *Repealing Clause.* - The pertinent provisions of the following laws are hereby repealed, amended, or modified accordingly:

(a) Section 4 of RA No. 7432, as amended by RA No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010," insofar as purchase of goods and services which are on promotional discount is concerned;

(b) Section 32 of RA No. 7277, as amended by RA No. 10754, insofar as higher discount granted by the commercial establishment, other existing laws or in combination with other discount programs is concerned;

(c) Section 32(j) of RA No. 9442, entitled "An Act Amending Republic Act No. 7277, Otherwise Known as the 'Magna Carta for Disabled Persons, and for Other Purposes'" ; and

(d) Section 4(1) of RA No. 9257, entitled "An Act Granting Additional Benefits and Privileges to Senior Citizens Amending for the Purpose Republic Act No. 7432, Otherwise Known as 'An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges for the Other Purposes'".

All other laws, rules and regulations, and other issuances or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,