

TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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HOUSE OF REPRESENTATIVES

HOUSE BILL No. 5030



**Introduced by REPRESENTATIVES LANI MERCADO-REVILLA,
BRYAN B. REVILLA AND RAMON “JOLO” B. REVILLA III**

AN ACT
DEFINING THE CRIME OF VIOLENCE AND ABUSE AGAINST THE ELDERLY,
PROTECTING THEM FROM THE SAME, PROVIDING PENALTIES THEREFOR,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippines as a predominantly Christian nation places high regard for the family, not least of which are its elderly members. The framers of our Constitution have enshrined in Section 4, Article XV of 1987 Philippine Constitution the duty of the family to take care of its elderly members: “The family has the duty to care for its elderly members but the State may also do so through just programs of social security.”

The Bible states the first commandment which promises long life: “Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee.” (Exodus 20: 12)

Ephesians 6 likewise exhorts children thus: “1 Children, obey your parents in the Lord: for this is right. 2 Honour thy father and mother; which is the first commandment with promise; 3 That it may be well with thee, and thou mayest live long on the earth.”

Proverbs, the repository of wise teachings, also counsels: “Listen to your father, who gave you life, and do not despise your mother when she is old.”

As for caring for them when they are old: “Anyone who does not provide for their relatives, and especially for their own household, has denied the faith and is worse than an unbeliever.” – 1 Timothy 5:8.

We have laws that protect our individual rights. However, the elderly deserve greater attention than currently given to them because of their vulnerability due to physical and mental weakness, and the increasing incidence of abandonment as could be observed cursorily. According to its website, to date, the DSWD is serving

401 abandoned older persons in the three centers.¹ This does not account for so many more wandering the streets aimlessly all over the country, and those in private charitable shelters.

There are many kinds of abuse perpetrated against old persons, some of them even harrowing. Concerned citizens report, and sometimes these stories make their way to mainstream media where public condemnation follows. However, the question hangs heavily: where has one's humanity gone? After the commission of the offense, much pain has already been inflicted. And more cruelly: these happen in one's twilight years.

One may argue: what one has sown, one reaps. The lack of proper parenting may be to blame, but the blame can go on and on till Adam, so intervention is appropriate. We must face up to our responsibilities. We must overcome our demons. We must, first of all, be human and follow in Christ's footsteps.

We can only hope that this measure will deter any and all kinds of abuse against the elderly members of the community. Ultimately, a person's heart will determine his actions towards them. But hopefully the law and the government actors will play a big part in ensuring the elder persons' welfare.

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



REP. LANI MERCADO-REVILLA

Representative
2nd District of Cavite



REP. BRYAN B. REVILLA

Representative
AGIMAT Partylist



REP. RAMON JOLO B. REVILLA III

Representative
1st District of Cavite

¹ <https://old.dswd.gov.ph/abandoned-seniors-find-life-worth-living-at-haven-for-the-elderly/>. Accessed on 06 September 2025.

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**AN ACT
DEFINING THE CRIME OF VIOLENCE AND ABUSE AGAINST THE ELDERLY,
PROTECTING THEM FROM THE SAME, PROVIDING PENALTIES THEREFOR,
AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. – This Act shall be known as the "Protection of the Elderly from Abuse and Violence."

SECTION 2. Declaration of Policy. – The high regard our society places on the family and especially our elders are enshrined in Section 4, Article XV of 1987 Philippine Constitution which declares the duty of the family to take care of its elderly members, while the State, on the other hand, may design programs of social security for them. Section 11, Article XI likewise provides that the State shall adopt an integrated and comprehensive approach to 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.

SECTION 3. Definition of Terms – As used in this Act, the following terms shall mean:

1. ***Elderly*** refers to any individual who is aged 60 or older; and
2. ***Violence Against the Elderly*** refers to any type of violence or abuse, whether physical abuse or violence, sexual, psychological or emotional abuse, material or financial exploitation, and neglect, inflicted upon an elderly individual.

SECTION 4. The following are the acts of violence against the elderly:

1. **Physical abuse** refers to acts committed with intention of causing bodily or physical harm. Any act leading to physical or bodily pain whether or not this results in bruises, sprains, welts, abrasions and fractures and injury is classified under this category;
2. **Sexual abuse** refers to any act which is sexual in nature, committed against the elderly. It includes rape, acts of lasciviousness, sodomy, coerced nudity, sexually explicit photographing and unwanted touching, forced reading or watching of sexually explicit material, or exposure to sexually explicit language;
3. **Psychological or emotional abuse** involves verbal assaults, threats, humiliation, and ridicule which result to mental or emotional anguish. Such abuse is usually accompanied by physical abuse but may happen separately;
4. **Material or financial abuse** unauthorized, or improper act or process of an individual that uses the resources of an elderly person for monetary or personal benefit, profit, or gain, or that results in depriving an elder of rightful access to, or use of, benefits, resources, belongings, or assets. This includes theft, misuse of property or money, or forced signing of documents;
5. **Neglect** refers to lack of care of the elderly. It can be either unintentional failure of those responsible to feed, provide shelter or health care, or protection to the elderly; or the deliberate withholding of items needed for daily living such as food, medicine, companionship and care, especially from those who are physically dependent.
6. **Abandonment** refers to the desertion or willful forsaking of an older adult by someone who has, or has assumed, responsibility for their care.

SECTION 5. Penalties. – The following penalties shall be imposed on offenses under Section 4:

1. Acts falling under Sec. 4(1) and 4(2) shall be punished in accordance with the provisions of the Revised Penal Code (RPC);
2. Acts falling under Sec. 4(3, 4(5) and 4(6) shall be punished with *prision correccional*;
3. Acts falling under Sec. 4(4) which is covered in the RPC shall be punished in accordance with the Code. However, acts not found in the RPC such as the unauthorized, or improper use of the resources of an elderly, depriving an elderly of rightful access to, or use of, benefits, resources, belongings, or assets, misuse of property or money, or forced signing of legal documents shall be punished with *prision correccional*; and

The penalty provided shall be imposed in its maximum period if:

- (a) The offender-perpetrator has been previously convicted under this Act or is a habitual delinquent;

- (b) The offender is a guardian, descendant, collateral relative, family relative up to the 2nd degree of consanguinity or affinity;
- (c) The offender is an owner-operator, manager or employee of a privately-operated elderly facility; and
- (d) The offender is a public official, staff or employee of government-operated elderly residential home. *Provided*, that said public official, staff or employee may be subjected to suspension and/or termination according to administrative disciplinary procedures.

SECTION 6. The Regional Trial Court designated as a Family Court shall have original and exclusive jurisdiction over cases of violence against the elderly under this law. In the absence of such court in the place where the offense was committed, the case shall be filed in the Regional Trial Court where the crime or any of its elements was committed, at the option of the complainant.

SECTION 7. Protection Orders. – A protection order is an order issued under this Act for the purpose of preventing further acts of violence against the elderly and granting other necessary relief. The relief granted under a protection order serves the purpose of safeguarding the victim from further harm, minimizing any disruption in the victim's daily life, and facilitating the opportunity and ability of the victim to independently regain control over his/her life. The provisions of the protection order shall be enforced by law enforcement agencies. The protection orders that may be issued under this Act are the Barangay Protection Order (BPO), Temporary Protection Order (TPO) and Permanent Protection Order (PPO).

SECTION 8. Public Crime. – Violence Against the Elderly shall be considered a public offense which may be prosecuted upon the filing a complaint by any citizen having personal knowledge of the circumstances involving the commission of the crime.

SECTION 9. The following are required to provide assistance to the elderly victims of violence:

1. Healthcare Provider – Any healthcare provider, including, but not limited to, an attending physician, nurse, clinician, barangay health worker, therapist or counselor who suspects abuse or has been informed by the victim of violence shall:
 - (a) properly document any of the victim's physical, emotional or psychological injuries;
 - (b) properly record any of the victim's suspicions, observations and circumstances of the examination or visit;
 - (c) automatically provide the victim free of charge a medical certificate concerning the examination or visit;

- (d) safeguard the records and make them available to the victim upon request at actual cost; and
 - (e) provide the victim immediate and adequate notice of rights and remedies provided under this Act, and services available to them.
2. DSWD – Shall provide the victims temporary shelters, provide counselling, psycho-social intervention and/or recovery, rehabilitation programs and livelihood assistance.
 3. Office for Senior Citizens Affairs (OSCA) – Shall include services addressing the Violence Against the Elderly. All suspected cases must be reported in accordance with the existing laws. OSCA, in coordination with the Local Social Welfare and Development Office, shall also maintain its own documentation and monitoring systems of the cases.
 4. Duties of Other Government Agencies and LGUs – Other government agencies and LGUs shall establish programs such as, but not limited to, education and information campaign and seminars or symposia on the nature, causes, incidence and consequences of such violence particularly towards educating the public on its social impacts.

SECTION 10. Rights of Victims. – In addition to their rights under existing laws, victims of violence against the elderly shall have the following rights:

1. To be treated with respect and dignity;
2. To avail of legal assistance from the PAO of the Department of Justice (DOJ) or any public legal assistance office;
3. To be entitled to support services from the DSWD and LGUs;
4. To be entitled to all legal remedies and support as provided for under the Family Code; and
5. To be informed of their rights and the services available to them including their right to apply for a protection order.

SECTION 11. Damages. – Any victim of violence under this Act shall be entitled to actual, compensatory, moral and exemplary damages.

SECTION 12. Training of Persons Involved in Responding to Violence Against the Elderly Cases. - All agencies involved in responding to cases of violence against the elderly shall be required to undergo education and training to acquaint them with:

1. The nature, extent and causes of violence against the elderly;
2. The legal rights of, and remedies available to, victims of violence against the elderly;
3. The services and facilities available to victims or survivors;

4. The legal duties imposed on police officers to make arrest and to offer protection and assistance; and
5. Techniques for handling incidents of violence against the elderly that minimize the likelihood of injury to the officer and promote the safety of the victim or survivor.

The PNP, in coordination with LGUs shall establish an education and training program for police officers and barangay officials to enable them to properly handle cases of violence against the elderly.

SECTION 13. Confidentiality. – All records pertaining to cases of violence against the elderly including those in the barangay shall be confidential and all public officers and employees and public or private clinics/hospitals shall respect the right to privacy of the victim. Any person who shall make public any relevant or identifying information about the case or the victims shall be liable to the contempt power of the court and shall suffer the penalty of one (1) year imprisonment and a fine of not more than Five Hundred Thousand pesos (P500, 000.00).

SECTION 14. Appropriations. – The amount necessary to effectively carry out the provisions of this Act shall be charged against the current appropriations of the concerned government agencies. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 15. Implementing Rules and Regulations. – The Department of Justice (DOJ), Department of Social Welfare and Development (DSWD), Department of Interior and Local Government (DILG) and other concerned government agencies, shall formulate, within one hundred eighty days (180) from its effectivity, the rules and regulations necessary to implement provisions of this Act.

SECTION 16. Suppletory Application – For purposes of this Act, the Revised Penal Code, Republic Act No. 8505, Republic Act No. 9262, Republic Act No. 10173, and other applicable laws shall have suppletory application.

SECTION 17. Separability Clause. – If any part hereof is held invalid or unconstitutional, the remainder of the provisions not otherwise affected shall remain valid and subsisting.

SECTION 18. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 19. Effectivity Clause. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) new papers of general circulation.

Approved,