

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
*First Regular Session*

House Bill No. 10414



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**Introduced by Representative JEFFREY SORIANO**

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**EXPLANATORY NOTE**

This bill seeks to define and prohibit all forms of elder abuse by establishing comprehensive legal protections for senior citizens, imposing penalties against offenders, institutionalizing reporting and response mechanisms, and strengthening government support services for elderly victims. The proposed measure recognizes physical, psychological, sexual, economic, and emotional abuse, as well as neglect and abandonment, as punishable acts against elderly persons.

As the country's senior citizen population continues to grow, cases of abuse, neglect, abandonment, and exploitation involving elderly persons have likewise become increasingly alarming. Many elderly Filipinos suffer in silence from physical violence, emotional humiliation, financial exploitation, and neglect often at the hands of individuals entrusted with their care. Despite existing laws granting benefits and privileges to senior citizens, the Philippines still lacks a comprehensive law specifically defining and penalizing elder abuse in all its forms.

This proposed measure clearly defines acts constituting elder abuse, imposes corresponding penalties, strengthens reporting systems, and mandates coordinated intervention and rehabilitation services for victims and offenders. The bill likewise promotes public awareness and capacity-building programs for government agencies, healthcare providers, caregivers, and law enforcement personnel to ensure stronger protection for senior citizens.

A society is ultimately measured by how it treats its most vulnerable members. Senior citizens who spent their lives working, raising families, and contributing to nation-building deserve dignity, protection, and care in their later years. The State must never allow elderly Filipinos to suffer abuse, neglect, or abandonment in silence. Enacting stronger safeguards against elder abuse is not only a legal duty but a moral obligation rooted in respect for human dignity, family solidarity, and social justice.

In view of the foregoing, the immediate approval of this measure is earnestly sought.



**HON. JEFFREY SORIANO**

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

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

Section 1. *Short Title.* – This Act shall be known as the “*Anti-Elderly Abuse Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to preserve, promote, and protect the rights, dignity, security and welfare of the elderly members of our society. Towards this end, the State shall endeavor to provide sanctions and penalties for the commission of all forms of abuse against the elderly, adopt a program for the prevention and deterrence of situations that may endanger their lives, ensure the adoption of protective mechanisms and support services available to all victims, and encourage social awareness and active public participation in the implementation of this Act.

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

a. Elderly refers to a senior citizen who is a resident of the Philippines aged at least sixty (60) years old, as defined in Section 2 of Republic Act (RA) No. 7432, otherwise known as the “*Senior Citizens Act*”;

b. Discrimination refers to any distinction, exclusion, restriction, or preference which is based on any ground such as 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 persons of an equal footing of all rights and freedoms;

c. Marginalization refers to any condition where people are systematically excluded from meaningful participation in economic, social, political, cultural and other forms of human activity in their communities and thus are denied the opportunity to fulfill themselves as human beings;

d. Elder abuse refers to any act of commission or of omission against the elderly as defined in this Act, which can be intentional or unintentional and resulting in unnecessary suffering, injury or pain, the loss or violation of human rights, and a diminished quality of life for the older person. It may take the form of actual physical violence, psychological, emotional or economic abuse, neglect, medical maltreatment, sexual exploitation and abandonment, and/or a combination of any of the aforesaid acts;

e. Physical abuse refers to acts that include bodily or physical harm. It includes striking, hitting, beating, pushing, shoving, shaking, slapping, kicking, pinching and burning, inappropriate use of drugs and drug-induced restraint, force-feeding and physical punishment of any kind;

f. Battery refers to the act of inflicting physical harm resulting to physical and psychological or emotional distress;

g. Sexual abuse refers to non-consensual acts which are sexual in nature such as sexual harassment, acts of lasciviousness, rape, sexual assault, sodomy, coerced nudity and taking of sexually explicit videos or photos without consent and unwanted touching;

h. Psychological or emotional abuse refers to the infliction of mental suffering and anguish, which includes, but not limited to, intimidation, public ridicule and humiliation, mockery and vilification, repeated verbal abuse, harassment, and threats;

i. Economic abuse refers to acts that make or attempt to make an elderly or senior citizen financially dependent, which includes but not limited to withdrawal of financial support, controlling or misusing the elderly's own money or property, unauthorized encashment of checks, forging of signature or deceiving or coercing an elderly into signing a document and the improper use of conservatorship, guardianship or power of attorney; and

j. Neglect refers to the unjustified refusal or failure of those responsible to feed, provide shelter, health care, financial support and protection to the elderly.

SEC. 4. *Prohibited Acts Constituting Elder Abuse.* – The following acts shall constitute the crime of elder abuse:

- a. Causing physical abuse to an elderly person;
- b. Threatening to cause physical abuse to an elderly person;
- c. Attempting to cause an elderly person physical abuse;
- d. Placing an elderly person in fear of imminent physical abuse;

- e. Causing or attempting to cause sexual abuse to an elderly person;
- f. Causing or attempting to cause psychological abuse to an elderly person;
- g. Causing or attempting to cause economic abuse to an elderly person;  
and
- h. Neglect of an elderly person.

SEC. 5. *Penalties.* – The crime of Elder Abuse shall be punished according to the following Rules:

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

If these acts resulted in mutilation, it shall be punishable in accordance with the Revised Penal Code; those constituting serious physical injuries shall have the penalty of *prision mayor*, those constituting less serious physical injuries shall be punished by *prision correccional*; and those constituting slight physical injuries shall be punished by *arresto mayor*;

b. Acts falling under Section 4(b) shall be punished by imprisonment of one degree lower than the prescribed penalty for the consummated crime as specified in Section 5(a), but shall in no case be lower than *arresto mayor*;

c. Acts falling under Sections 4(c) and 4(d) shall be punished by *arresto mayor*;

d. Acts falling under Section 4(e), except rape, shall be punished by *prision mayor*. Rape shall be punished in accordance with the provisions of the Revised Penal Code;

e. Acts falling under Section 4(f) shall be punished by *prision mayor*;

f. Acts falling under Section 4(g) shall be punished by *prision correccional*;  
and

g. Acts falling under Section 4(h) shall be punished by *arresto mayor*.

The penalty provided shall be imposed in its maximum period if the offender-perpetrator:

1. has been previously convicted under this Act;

2. is a descendant, collateral relative or family member of up to the 2nd degree of consanguinity or affinity;

3. is an owner-operator, manager, or employee of a privately-operated, for profit or non-profit, elderly facility; and

4. is a public official, staff or employee of a government-operated elderly residential/group home; *Provided*, That said public servant or employee can be subjected to suspension and/or termination according to administrative discipline procedures.

The above-mentioned penalties shall not preclude the consequent civil case for damages or administrative charges that may also result in the suspension or revocation of accreditation or license to operate of any institution from the Department of Social Welfare and Development (DSWD).

#### SEC. 6. *Enforcement and Protocols.*

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

b. The following persons may file a complaint for Elder Abuse:

- i. The Offended Older Person;
- ii. A caregiver, family member or collateral relative within the 4th degree of consanguinity or affinity;
- iii. A healthcare provider, therapist, or counselor;
- iv. A fellow senior citizen from an elderly organization, or a churchmate from the parish;
- v. Barangay officials, including Barangay Chairperson, *Kagawads*, or *Tanods*;
- vi. Social Welfare Officers from the DSWD or Local Government Unit;
- vii. Police Officers or Law Enforcers.

Barangay officials or law enforcers shall respond immediately to a call for help or request for assistance by entering the dwelling, checking on the well-being of the victim, and ensuring the safety of the victim-survivor. As immediate responders, they must also transport or escort the victim to a safe place of their choice or to a clinic or hospital, if and when necessary.

c. Immunity. - Any person or private individual acting in accordance with law, responds or intervenes without using violence or restraint greater than necessary to ensure the safety of the victim, shall not be liable for any criminal, civil, or administrative case resulting therefrom.

d. Prohibited Defense. - Being under the influence of alcohol, any illicit drugs, or any other mind-altering substance shall not be a defense under this Act.

e. Prohibited Acts by Government Officials. - Any barangay official or court hearing an application for a Protection Order for an abused elderly woman according to RA No. 9262, otherwise known as the "*Anti-Violence Against Women and Their Children (VAWC) Act of 2004*", shall not order, direct, force, or in any way influence the applicant to compromise or abandon any of the reliefs sought under RA No. 9262. Failure to comply shall render the official or judge administratively liable.

f. The DSWD and Department of Health (DOH) shall require physicians, caregivers, or social workers who suspect ill treatment of senior citizens to discuss the concern with the family or the head of the nursing home or elderly facility. In case the ill-treatment is confirmed, or in the event of suspicious death, the same shall be reported to the appropriate authorities.

g. Confidentiality. - All cases pertaining to elder abuse including those at the barangay level shall be confidential, and all public officers and employees of public or private hospitals/clinics shall make public any relevant or identifying information about the case or the victim shall be made liable for contempt of court and shall suffer the penalty of one year imprisonment and a fine of Five Hundred Thousand Pesos (P500,000.00).

SEC. 7. *Establishment of a Senior Citizens Help Desk.* - Every barangay shall establish a senior citizen help desk which shall provide immediate assistance to victim-survivors of elder abuse. Besides barangay officials, it may be manned by duly accredited representatives of the senior citizens sector or from the membership of a local elderly organization designated and authorized by the Barangay Council or Chairperson.

SEC 8. *Mandatory Programs and Services of Victims of Elder Abuse.* - The DSWD and LGUs shall provide the victims temporary shelter, counseling, psycho-social services and/or recovery, rehabilitation programs and financial assistance.

The Office of Senior Citizens Affairs (OSCA) shall include services addressing gender-based violence as well as elder 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 Officer (LSWDO), shall maintain an Elder 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 elderly.

SEC. 9. *Counseling and Rehabilitation of Offenders-Perpetrators.* – 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.

SEC 10. *Training 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, LWDOs, police officers and court authorities in offering assistance and protection;
- d. The available services and facilities for victim-survivors of elder abuse; and
- 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.

SEC. 11. *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 professional 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 to the enactment of measure that would provide social protection to the elderly and reduce their socio-economic and political disparities;

e. Continue to develop and initiate programs and services for senior citizens that are gender-responsive, rights-based, and culture-sensitive so as to ensure specific needs and concerns of senior citizens are identified and addressed;

f. Review school curricula and teaching modules through the DepEd and CHED to highlight with renewed focus the importance of family values, filial piety, and respect for the elderly.

SEC. 12. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included and incorporated in the annual General Appropriations Act.

SEC. 13. *Separability Clause.* – If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 14. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

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

*Approved,*