

[REPUBLIC ACT NO. 9257, February 26, 2004]

**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 AND FOR OTHER
PURPOSES"**

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

SECTION 1. This Act shall be known as the "Expanded Senior Citizens Act of 2003."

SEC. 2. Republic Act No. 7432 is hereby amended to read as follows:

"SECTION 1. *Declaration of Policies and Objectives.* - Pursuant to Article XV, Section 4 of the Constitution, it is the duty of the family to take care of its elderly members while the State may design programs of social security for them. In addition to this, Section 10 in the Declaration of Principles and State Policies provides: "The State shall provide social justice in all phases of national development." Further Article XIII, Section 11 provides: "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, 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." Consonant with these constitution principles the following are the declared policies of this Act:

- a. To motivate and encourage the senior citizens to contribute to nation building;
- b. To encourage their families and the communities they live with to reaffirm the valued Filipino tradition of caring for the senior citizens;
- c. To give full support to the improvement of the total well-being of the elderly and their full participation in society considering that senior citizens are integral part of Philippine society;
- d. To recognize the rights of senior citizens to take their proper place in society. This must be the concern of the family, community, and government;
- e. To provide a comprehensive health care and rehabilitation system for disabled senior citizens to foster their capacity to attain a more meaningful and productive ageing; and
- f. To recognize the important role of the private sector in the improvement of the welfare of senior citizens and to actively seek

their partnership.

In accordance with these policies, this Act aims to:

1. establish mechanism whereby the contribution of the senior citizens are maximized;
2. adopt measures whereby our senior citizens are assisted and appreciated by the community as a whole;
3. establish a program beneficial to the senior citizens, their families and the rest of the community that they serve; and
4. establish community-based health and rehabilitation programs in every political unit of society."

"SEC. 2. *Definition of Terms.* - For purposes of this Act, these terms are defined as follows:

- a. "Senior citizen" or "elderly" shall mean any resident citizen of the Philippines at least sixty (60) years old;
- b. "Benefactor" shall mean any person whether related to the senior citizens or not who takes care of him/her as a dependent;
- c. "Head of the family" shall mean any person so defined in the National Internal Revenue Code, as amended; and
- d. "Geriatrics" shall refer to the branch of medical science devoted to the study of the biological and physical changes and the diseases of old age."

"SEC. 3. *Contribution to the Community.* - Any qualified senior citizen as determined by the Office for Senior Citizens Affairs (OSCA) may render his/her services to the community which shall consist of, but not limited to, any of the following:

- a. Tutorial and/or consultancy services;
- b. Actual teaching and demonstration of hobbies and income generating skills;
- c. Lectures on specialized fields like agriculture, health, environment protection and the like;
- d. The transfer of new skills acquired by virtue of their training mentioned in Section 4, paragraph (d); and
- e. Undertaking other appropriate services as determined by the Office for Senior Citizens Affairs (OSCA) such as school traffic guide, tourist aide, pre-school assistant, etc.

In consideration of the services rendered by the qualified elderly, the Office for Senior Citizens Affairs (OSCA) may award or grant benefits or privileges to the elderly, in addition to the other privileges provided for under this Act."

"SEC. 4. *Privileges for the Senior Citizens.* - The senior citizens shall be entitled to the following:

- a. the grant of twenty percent (20%) discount from all establishments relative to the utilization of services in hotels and similar lodging establishment, restaurants and recreation centers, and purchase of medicines in all establishments for the exclusive use or enjoyment

- of senior citizens, including funeral and burial services for the death of senior citizens;
- b. a minimum of twenty percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals, and other similar places of culture, leisure and amusement for the exclusive use or enjoyment of senior citizens;
 - c. exemption from the payment of individual income taxes; *Provided*, That their annual taxable income does not exceed the poverty level as determined by the National Economic and Development Authority (NEDA) for that year;
 - d. exemption from training fees for socio-economic programs;
 - e. free medical and dental service, diagnostic and laboratory fees such as, but not limited to, x-rays, computerized tomography scans and blood tests, in all government facilities, subject to the guidelines to be issued by the Department of Health in coordination with the Philippine Health Insurance Corporation (PHILHEALTH);
 - f. the grant of twenty percent (20%) discount on medical and dental services, and diagnostic and laboratory fees provided under Section 4(e) hereof, including professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the Department of Health, in coordination with the Philippine Health Insurance Corporation;
 - g. the grant of twenty percent (20%) discount in fare for domestic air and sea travel for the exclusive use or enjoyment of senior citizens;
 - h. the grant of twenty percent (20%) discount in public railways, skyways and bus fare for the exclusive use and enjoyment of senior citizens;
 - i. educational assistance to senior citizens to pursue post secondary, tertiary, post tertiary, as well as vocational or technical education in both public and private schools through provision of scholarship, grant, financial aid, subsidies and other incentives to qualified senior citizens, including support for books, learning materials, and uniform allowance, to the extent feasible: *Provided*, That senior citizens shall meet minimum admission requirements;
 - j. to the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS) and PAG-IBIG, as the case may be, as are enjoyed by those in actual service.
 - k. retirement benefits of retirees from both the government and private sector shall be regularly reviewed to ensure their continuing responsiveness and sustainability, and to the extent practicable and feasible, shall be upgraded to be at par with the current scale enjoyed by those in actual service.
 - l. to the extent possible, the government may grant special discounts in special programs for senior citizens on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
 - m. provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them.

In the availment of the privileges mentioned above, the senior citizen or elderly person may submit as proof of his/her entitlement thereto any of the following:

- a. an ID issued by the city or municipal mayor or of the barangay captain of the place where the senior citizen or the elderly resides;
- b. the passport of the elderly person or senior citizen concerned; and
- c. other documents that establish that the senior citizen or elderly person is a citizen of the Republic and is at least sixty (60) years of age.

The establishment may claim the discounts granted under (a), (f), (g) and (h) as tax deduction based on the net cost of the 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 value added tax 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. 5. *Government Assistance*. - The Government shall provide the following:

a. Employment

Senior citizens who have the capacity and desire to work, or be re-employed, shall be provided information and matching services to enable them to be productive members of society. Terms of employments shall conform with the provisions of the labor code, as amended, and other laws, rules and regulations.

Private entities that will employ senior citizens as employees upon effectivity of this Act, shall be entitled to an additional deduction from their gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to senior citizens subject to the provision of Section 34 of the National Internal Revenue Code, as amended: *Provided, however*, That such employment shall continue for a period of at least six (6) months: *Provided, further*, that the annual income of a senior citizen does not exceed the poverty level as determined by the National Economic and Development Authority (NEDA) for that year.

The Department of Labor and Employment (DOLE), in coordination with other government agencies such as, but not limited to, the Technology and Livelihood Resource Center (TLRC) and the Department and Trade and Industry (DTI), shall assess, design and implement training programs that will provide skills and welfare or livelihood support for senior citizens.