

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

HOUSE OF REPRESENTATIVES

House Bill No. 865



Introduced by Representative Victor A. Yap

EXPLANATORY NOTE

The Constitution, Article 11, Section 5, provides:

The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

This bill seeks to develop strategies for preventing and punishing crimes that target or otherwise disproportionately affect seniors, by collecting appropriate data to measure the extent of crimes committed against seniors and determine the extent of domestic and elder abuse. It likewise aims to strengthen existing services being accorded to senior citizens by the government.

The bill tasks the Department of Justice (DOJ) through the National Bureau of Investigation (NBI), as well as the Department of Interior and Local Government (DILG) through the Philippine National Police (PNP), to conduct a study relating to crimes against senior in order to assist in developing new strategies to prevent or reduce the incidence of these crimes.

Also, the bill provides for strengthening of government service and support mechanisms for seniors through agencies of the government including local government units (LGUs) and government-owned and controlled corporations (GOCCs).

To afford greater protection to our senior citizens, passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Victor A. Yap".

VICTOR A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 865

Introduced by Representative Victor A. Yap

AN ACT
TO COMBAT ABUSE AND ENHANCE PENALTIES FOR CRIMES AGAINST AND
TO STRENGTHEN GOVERNMENT SERVICE AND SUPPORT MECHANISMS FOR
SENIORS

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Seniors Safety and Service Act of
2 2016”.

3 **SECTION 2. *Purpose.*** – The purpose of this Act is to develop strategies for preventing and
4 punishing crimes that target or otherwise disproportionately affect seniors by collecting appropriate
5 data to measure the extent of crimes committed against seniors and determine the extent of
6 domestic and elder abuse. It likewise seeks to strengthen existing services being accorded to senior
7 citizens by the government.

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

9 (1) “Crime” means any criminal offense under the Revised Penal Code and special laws; and

10 (2) “Senior” means an individual who is 60 years of age and above.

11 **SECTION 4. *Study of Crimes Against Seniors.***

12 (a) *In General* – The Department of Justice (DOJ), through the National Bureau of
13 Investigation (NBI) and the Department of Interior and Local Government (DILG), through the
14 Philippine National Police (PNP), shall conduct a study relating to crimes against seniors in order to
15 assist in developing new strategies to prevent and otherwise reduce the incidence of these crimes.

16 (b) *Issues addressed* – The study conducted under this section shall include an analysis of –

17 (1) the nature and type of crimes perpetrated against seniors with special focus on:

18 (A) the most common type of crimes that affect seniors;

19 (B) the nature and extent of elder abuse inflicted upon seniors; and

20 (C) the nature and extent of health care fraud and abuse targeting seniors.

21 (2) the risk factors associated with seniors who have been victimized;

22 (3) the manner in which the criminal justice systems respond to crimes against
23 seniors;

1 (4) the feasibility of establishing and maintaining a centralized computer database on
2 the incidence of crimes against seniors that will promote the uniform identification and reporting of
3 such crimes;

4 (5) crimes targeting or disproportionately affecting seniors;

5 (6) crime risk factors for seniors, including the times and locations at which crimes
6 victimizing seniors are most likely to occur;

7 (7) specific characteristics of the victims of crimes who are seniors including age,
8 gender, race or ethnicity and socio-economic status;

9 (8) the nature and extent of crimes targeting seniors such as health care fraud; and

10 (9) other effective ways to prevent or reduce the occurrence of crimes against
11 seniors.

12 (c) *Report* - Not later than one (1) year after the effectivity of this Act, the DOJ and the
13 DILG shall submit to the House of Representatives and the Senate a report describing results of the
14 study under this section. Thereafter, the study and report shall be had on an annual basis.

15 **SECTION 5. *Enhanced Sentencing Penalties Based on Age of Victim.*** The DOJ, in
16 coordination with agencies of government concerned, shall:

17 (1) review existing sentencing guidelines and recommend the possibility of increased
18 penalties for persons convicted of offenses in which the victim was a senior in appropriate
19 circumstances, given the serious economic and physical harms associated with criminal activities
20 targeted at seniors due to their particular vulnerability;

21 (2) consult with individuals or groups representing seniors, law enforcement agencies,
22 victims organizations and the judiciary as part of the review described in this section;

23 (3) account for any aggravating or mitigating circumstances that may justify exceptions in
24 order to provide sentencing enhancements;

25 Not later than one (1) year after the effectivity of this Act, the DOJ shall submit to Congress
26 a report on issues relating to the age of crime victims, which shall include any recommendations of
27 the DOJ relating to any revision or modification of penalty levels, including statutory penalty, for
28 offenses involving seniors.

29 **SECTION 6. *Strengthening Government Service and Support Mechanisms.*** All agencies of
30 government, including local government units (LGUs) and government-owned and controlled
31 corporations (GOCCs) shall endeavour to strengthen all present and existing service and support
32 mechanisms to seniors. As such, the establishment and enhancement of senior's desk in all
33 government offices shall be mandatory by utilizing similar facilities or resources devoted by such
34 offices for the same purpose.

35 **SECTION 7. *Appropriations.*** The amount necessary for the initial implementation of this Act
36 shall be charged against the current year's appropriations of the DOJ. Thereafter, such sums as may
37 be necessary for the continued implementation of this Act shall be included in the General
38 Appropriations Act.

39 **SECTION 8. *Separability Clause.*** If any provision of this Act is declared invalid, the remainder
40 of this Act or any provision not affected thereby shall remain in force and effect.

1 **SECTION 9. *Repealing Clause.*** All laws, orders, decrees, rules and regulations, and other parts
2 thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified
3 accordingly.

4 **SECTION 10. *Effectivity.*** This Act shall take effect fifteen (15) days following its publication in
5 the Official Gazette or atleast two (2) newspapers of general circulation.

6 Approved,