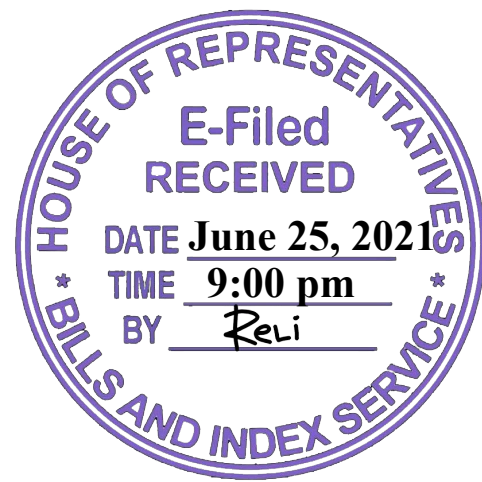


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

EIGHTEENTH CONGRESS  
**Third Regular Session**

HOUSE BILL NO. 9646



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Introduced by **HON. JOY MYRA S. TAMBUNTING**

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### **EXPLANATORY NOTE**

Unfortunately, abuse against an elderly, disabled, or otherwise incapacitated parent, which includes physical, sexual, psychological, emotional and financial abuse, abandonment, neglect, and serious loss of dignity and respect, has become an “invisible issue” in the Philippines, according to the Commission on Human Rights. The sad stories of abused or abandoned parents, who in their productive years had toiled with blood, sweat, and tears for the upbringing and education of their children, are still rampant nowadays. Unreciprocated care and sacrifice—this is the cruel irony of their situation. This cannot go along without relief and recourse for these unfortunate parents.

If parents may be penalized for child abuse under our laws for the unreasonable deprivation of basic needs for survival, such as food and shelter, and failure to provide immediate medical treatment, the same level of protection must be afforded to parents who are rendered incapacitated due to old age, disease, or disability, yet their adult and capable children fail to or neglect to provide support to them. This bill reinforces the duty of children to take care of their elderly, sickly, or otherwise, incapacitated parents, by providing criminal action for the enforcement of their rights for maintenance and support.

This measure shall hold any person who (despite being capacitated) shall willfully neglect to maintain support to their parents (who are over 60 years of age or suffering from a disease or disability, are rendered incapable of supporting themselves) liable for deprivation of support. This crime shall be punishable by imprisonment, or a fine of not less than two hundred thousand pesos (Php 200,000.00) but not more than five hundred thousand pesos (Php 500,000.00).

On behalf of the people of Parañaque City’s Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.

  
**REP. JOY MYRA S. TAMBUNTING**  
2nd District, Parañaque City

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**AN ACT**  
**DEFINING THE CRIME OF DEPRIVATION OF SUPPORT TO ELDERLY AND INDIGENT PARENTS 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 “Criminalizing Deprivation of Support to Elderly and Indigent Parents Act”.

**Section 2. Declaration of Policy.** – It is the declared policy of the State to be cognizant of the dire conditions of parents who are in need of assistance and support from their children, legitimate or illegitimate, who are capable of rendering such assistance and support. Hence, the State must take positive steps to care for their needs by penalizing any act of deprivation of support committed against the elderly members of the family.

**Section 3. Maintenance of Support to Parents.** – Children shall, within their means and capacity, maintain support for their father or mother who, by virtue of being over sixty (60) years of age or suffering from a disease or disability, are rendered incapable of supporting themselves.

Where an elderly parent appears to be in need, he/she may, by himself/herself or through a representative of the Department of Social Welfare and Development, shall initiate the filing of a criminal action against his/her children for deprivation of support.

For purposes of this section, "support" refers to everything indispensable for sustenance, dwelling, clothing, and medical attendance.

**Section 4. Deprivation of Support to Parents.** – Any person who, despite being capacitated shall willfully neglect to maintain support to his or her parent as defined under Section 3 of this Act, shall be liable for deprivation of support to parent and shall be punishable by imprisonment of arresto menor as the minimum and of arresto mayor as the maximum, or a fine of not less than two hundred thousand pesos (Php 200,000.00) but not more than five hundred thousand pesos (Php 500,000.00), at the discretion of the court.

**Section 5. Repealing Clause.** – All laws, presidential decrees, executive orders, proclamations, rules' and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Section 6. Separability Clause.** – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

**Section 7. Effectivity Clause.** – This Act shall take effect fifteen (15) days from Its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*