



Republic of the
Philippines Province of
Iloilo
Municipality of
Tigbauan

OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON DECEMBER 9, 2013 AT 1:55 IN THE AFTERNOON.

PRESENT:

HON. ROEL T. JARINA,	Vice Mayor & Presiding Officer
HON. JOSE DONEL T. TRASPORTO,	SB Member
HON. RENEE LIBRODO- VALENCIA,	SB Member
HON. VIRGILIO T. TERUEL,	SB Member
HON. MARLON R. TERUÑEZ,	SB Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO,	SB Member
HON. SUZETTE MARIE HILADO-BANNO,	SB Member
HON. RICKY T. NULADA,	SB Member
HON. ARIEL I. BERNARDO,	SB Member

ABSENT:

HON. RONNIE T. PAGUNTALAN,	Pres., Liga Ng Mga Brgy.
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Municipal Ordinance No. 2013-004

AN ORDINANCE ADOPTING THE PERTINENT PROVISIONS OF REPUBLIC ACT NO. 9994 OR THE "EXPANDED SENIOR CITIZENS ACT OF 2010" TO BE KNOWN AS THE SENIOR CITIZENS ORDINANCE OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO

Sponsored by: HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO, *Chairperson, Committee on Education, Women & Family, Social Services & Senior Citizens*
Seconded by: Hon. Jose Donel Trasporto, Hon. Renee Librodo Valencia, Hon. Virgilio Teruel, Hon. Marlon Terunez, Hon. Suzette Marie Hilado-Banno, and Hon. Ricky Nulada;

WHEREAS, the business and other involved establishments in Tigbauan, Iloilo are not adopting nor are they implementing **Republic Act No. 9994 known as "Expanded Senior Citizens Act of 2010."**

WHEREAS, there is a need to recognize the rights of senior citizens for them to take their proper place in society by giving them full support for the improvement of their total well-being and their full participation in society;

WHEREAS, Section 447(5) of Republic Act No. 7160 otherwise known as the Local Government Code, authorizes the Sangguniang Bayan to enact and approve ordinances under to its "*general welfare clause*" and shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 16 and 17 thereof;

WHEREAS, there is a need to institutionalize on the grass root level the immediate implementation of Republic Act No. 9994 otherwise known as the Expanded Senior Citizens Act of 2010 and other related legislations.

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Tigbauan that:

SECTION 1: This ordinance shall be known as the **SENIOR CITIZENS ORDINANCE OF TIGBAUAN.**

SECTION 2: This ordinance mandates all business/medical/public service establishments in Tigbauan, Iloilo to adopt and implement the Expanded Senior Citizens' Act of 2010.

SECTION 3: Employment. –

- a. Senior citizens who have the capacity and the desire to work, or be re-employed, shall be provided information and matching services to enable them to be productive members of society. The terms of employment shall conform with the provisions of the Labor Code, as amended, and other laws rules and regulations.
- b. For this purpose, employers are prohibited from discriminating against senior citizens on the sole account of their age.
- c. Senior citizens who apply for work and may be required for a physical examination shall be entitled a twenty percent (20%) discount on all hospitals and facilities owned, operated and maintained by the Government.

SECTION 4. Privileges for the Senior Citizens.

The senior citizens shall be entitled to the following:

"(a) the grant of twenty percent (20%) discount and exemption from the value added tax (VAT), if applicable, on the sale of the following goods and services from all establishments, for the exclusive use and enjoyment or availment of the senior citizen:

"(1) on the purchase of medicines, including the purchase of influenza and pneumococcal vaccines, and such other essential medical supplies, accessories and equipment to be determined by the Department of Health (DOH). "The DOH shall establish guidelines and mechanism of compulsory rebates in the sharing of burden of discounts among retailers, manufacturers and distributors, taking into consideration their respective margins;

"(2) on the professional fees of attending physician/s in all private hospitals, medical facilities, outpatient clinics and home health care services;

"(3) on the professional fees of licensed professional health providing home health care services as endorsed by private hospitals or employed through home health care employment agencies;

"(4) on medical and dental services, diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics, and home health care services, in accordance with the rules and regulations to be issued by the DOH, in coordination with the Philippine Health Insurance Corporation (PhilHealth);

"(5) in actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, Asian utility vehicles (AUVs), and shuttle services;

"(6) in actual transportation fare for domestic air transport services and sea shipping vessels and the like, based on the actual fare and advanced booking;

"(7) on the utilization of services in hotels and similar lodging establishments, restaurants and recreation centers;

"(8) on admission fees charged by theaters, cinema houses and concert halls, circuses, leisure and amusement; and

"(9) on funeral and burial services for the death of senior citizens;

"(b) exemption from the payment of individual income taxes of senior citizens who are **Page 3-Mun.Ord.No.2013-004**
considered to be minimum wage earners in accordance with Republic Act No. 9504;

"(c) the grant of a minimum of five percent (5%) discount relative to the monthly utilization of water and electricity supplied by the public utilities: *Provided*, That the individual meters for the foregoing utilities are registered in the name of the senior citizen residing therein: *Provided, further*, That the monthly consumption does not exceed one hundred kilowatt hours (100 kWh) of electricity and thirty cubic meters (30 m³) of water: *Provided, furthermore*, That the privilege is granted per household regardless of the number of senior citizens residing therein;

"(d) exemption from training fees for socioeconomic programs;

"(e) free medical and dental services, 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 DOH in coordination with the PhilHealth;

"(f) the DOH shall administer free vaccination against the influenza virus and pneumococcal disease for indigent senior citizen patients;

"(g) educational assistance to senior citizens to pursue post secondary, tertiary, post tertiary, vocational and technical education, as well as short-term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsidies and other incentives to qualified senior citizens, including support for books, learning materials, and uniform allowances, to the extent feasible: *Provided*, That senior citizens shall meet minimum admission requirements;

"(h) 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);

"(i) provision of express lanes for senior citizens in all commercial and government establishments; in the absence thereof, priority shall be given to them; and

"(j) death benefit assistance to qualified indigent Senior Citizens of a minimum of Two thousand pesos (Php2, 000.00) shall be given to the nearest surviving relative of a deceased senior citizen which amount shall be subject to adjustments due to inflation in accordance with the guidelines to be issued by the DSWD.

"In order to avail of the privileges mentioned above, the senior citizen, or his/her duly authorized representative, may submit as proof of his/her entitled thereto any of the following:

- "(1) an identification card issued by the Office of the Senior Citizen Affairs (OSCA) of the place where the senior citizen resides: Such identification card issued by the particular OSCA shall be honored nationwide;
- "(2) the passport of the senior citizen concerned; and
- "(3) other documents that establish that the senior citizen is a citizen of the Republic and is at least sixty (60) years of age as further provided in the implementing rules and regulations.

"In the purchase of goods and services which are on promotional discount, the senior citizen can avail of the promotional discount or the discount provided herein, whichever is higher."

"The establishment may claim the discounts granted under subsections (a) and (c) of this section as tax deduction based on the cost of the goods sold or services

rendered: Provided, That the cost of the discount shall be allowed as deduction from
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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 VAT, 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 (NIRC), as amended."

SECTION 5. The Tigbauan Senior Citizens Council.-There shall be created a Municipal Senior Citizens Council, hereinafter referred to as the Council, to be composed of the Chairman of the Committee on Senior Citizens of the Sangguniang Bayan, the Head of the Office for Senior Citizens Affairs and the Presidents of the Senior Citizens Associations from the different barangays in the Municipality of Tigbauan.

a. Objectives:

- i. To formulate policies and adopt measures mutually beneficial to the elderly and to the municipality.
- ii. To strengthen the organization of the office of the Senior Citizen Affairs (OSCA) in the Municipality of Tigbauan.
- iii. To motivate and encourage Senior Citizen to contribute to nation building.
- iv. To encourage their families and the community where they live in to reaffirm the Filipino values and traditions of caring for, sharing with, the elderly.
- v. To establish mechanism whereby Senior Citizen are assisted appreciated by the Community as a whole.
- vi. To establish programs beneficial to the Senior Citizen, their families and their communities.

b. Council Chairperson and Vice Chairpersons. – The Tigbauan Municipal Council for Senior Citizens shall be chaired by the Chairperson of the Sangguniang Bayan Committee on Women and Family, Social Services and Senior Citizens who shall be assisted by Two Vice Chairpersons, one being the Chairman of the Office of Senior Citizen Affairs and the other being the Municipal President of the Senior Citizens Federated Association of Tigbauan.

c. Board of Directors. - The members of the Board of Directors shall be elected from among the members of the Municipal Federation of Senior Citizens, as the Council's policy-making body, to be composed of four (4) Presidents of the Senior Citizens Association of the barangays. They shall serve for a term of three (3) years unless earlier removed for cause. The Chairperson of the Council shall act as the Presiding Officer of the Board and in the absence of the Chairperson, any of the Vice Chairmen shall act as the Temporary Presiding Officer.

d. Other Officers. – In addition to the Chairman and the two (2) Vice Chairmen, the body shall have a Secretary, a Treasurer, Auditor, a Business Manager and a Public Relations Officer, to be elected for a term of three (3) years. Other officers and or working committees may be elected by the body to perform the duties traditionally attached to the position.

e. Staff Personnel. – Upon recommendation of the Board of Directors, the Municipal Mayor shall provide an Office Space for the council and appoint or designate such employee(s) as may be necessary to constitute the administrative staff of the Council with corresponding compensation, subject to the approval of the Sangguniang Bayan of Tigbauan. As much as possible senior citizens who have potential and capacity to perform the duties of the position effectively and efficiently shall be given priority for appointment.

f. Board of Advisers. – The Council shall have a Board of Advisers to be composed of the Honorable Mayor, as Chairman, the Chairmen of the Sangguniang Bayan Committees on Appropriations, and Ordinances, and Resolutions and the Municipal Social Welfare and Development Officer as

Members.

- g. Appropriations.** – The Sangguniang Bayan shall appropriate an annual budget for the Council subject to the availability of funds to support the programs and projects of the elderly in addition to the one half percent (.5%) set aside in the Budget of Local Government Unit of Tigbauan for the programs and projects related to Senior Citizens provided for in Joint Circular No. 2003-001 of the Department of Budget and Management (DBM) and the Department of Social Welfare and Development (DSWD) dated April 28, 2003.

SECTION 6. PENALTIES. – Any violation of the provisions contained in Sections 2,3 and 4 of this Ordinance shall be penalized, as follows:

1st Offense: Fine of Five Hundred Pesos (P500.00)

2nd Offense: Fine of One Thousand Pesos (P1,000.00)

3rd and succeeding offenses: Fine of Two Thousand Five Hundred Pesos (P2,500.00)

If the offender be a public official or employee the penalty provided herein shall be without prejudice to the offender's administrative liability. Such administrative liability shall attach without regard as to whether the violation was committed in the performance of official functions or otherwise.

If the offender is a corporation, partnership, organization or any similar entity, the officials thereof directly involved such as the president, general manager, managing partner or such other officer charged with the management of the business affairs shall be liable therefore.

Upon filing of an appropriate complaint, and after due notice and hearing, any permit, franchise and other similar privileges granted by the Municipal Government to any person, establishment or business entity that fails to abide by the provisions of this Ordinance may be revoked or cancelled, either temporarily or permanently.

All fines generated here from shall accrue solely for the benefit of the Municipal Senior Citizens Council which shall be utilized for program implementation and administrative requirement. Provided however, that no part of such funds may be used for travel and representation outside of the Municipality, *per diem* or honorarium.

SECTION 7. SEPARABILITY CLAUSE. – Should any part or provision of this Ordinance be held to be unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. REPEALING CLAUSE. – All ordinances, executive orders, issuances, including rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 9. EFFECTIVITY. – This Ordinance shall take effect immediately upon its approval.

ENACTED. December 9, 2013.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2013-004 was approved by the Sangguniang Bayan.

MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding Officer

APPROVED:

SUZETTE TENEFANCIA-ALQUISADA
Municipal Mayor
