

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session



Senate
Office of the Secretary

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SENATE
P.S. No. 235

RFC

BY: 

Introduced by Senator Poe

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED DEDUCTION BY DSWD OFFICIALS FROM THE FIVE HUNDRED PESO (PHP 500) SOCIAL PENSION FOR INDIGENT SENIOR CITIZENS, IN DIRECT CONTRAVENTION OF REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO 9994, OTHERWISE KNOWN AS THE "EXPANDED SENIOR CITIZENS ACT OF 2010".

WHEREAS, Article 2, Section 5 of the 1987 Constitution states that "The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, Article 13, Section 2 of the Constitution further provides: "*The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good*" (emphasis supplied);

WHEREAS, Article 15, Section 11 of the Constitution proclaims: "The family has the duty to care for its elderly members *but the State may also do so through just programs of social security*" (emphasis supplied);

WHEREAS, pursuant to these Constitutional provisions, Congress enacted Republic Act No. 7432, as amended by Republic Act No. 9994, otherwise known as the "*Expanded Senior Citizens Act of 2010*" which provides various privileges for senior citizens;

WHEREAS, Section 4(h)(1) of R.A No. 7432, as amended, states that "*Indigent senior citizens shall be entitled to a monthly stipend amounting to Five hundred pesos (Php500.00) to augment the daily subsistence and other medical needs of senior citizens, subject to a review every two (2) years by Congress, in consultation with the DSWD* (emphasis supplied);

WHEREAS, an article in the *Philippine Daily Inquirer* dated 08 November 2016 states that "Senior citizens were allegedly being shortchanged by employees of the social welfare department in Calabarzon (Cavite, Laguna, Batangas, Rizal, Quezon) region, who would deduct P50 to P100 from the assistance given by the government... They said the

money was being forcibly deducted in the form of transportation allowance by the DSWD field workers”;

WHEREAS, according to the same report, the DSWD Quezon provincial director said that “We have been receiving similar reports from other towns. There were reports that P50 was being deducted”;

WHEREAS, the social pension for indigent senior citizens provided under Section 4(h)(1) of R.A 7432, as amended, was created by law and can only be increased, reduced or otherwise modified through the enactment of another law, as emphasized by the phrase “subject to a review every two (2) years *by Congress*, in consultation with the DSWD” (*emphasis supplied*);

WHEREAS, the alleged reduction of the social pension for indigent senior citizens, of which the amount to be disbursed is provided in law, may be construed as a form of *misfeasance*, which is defined in the Revised Penal Code as “the improper or irregular performance of an act which is allowed to be done”;

NOW THEREFORE BE IT RESOLVED, as it is hereby resolved by the Philippine Senate, to direct the proper Senate committees to conduct an inquiry, in aid of legislation, on the reported deduction by DSWD officials from the five hundred peso (Php 500) social pension for indigent senior citizens, in direct contravention of Republic Act no. 7432, as amended by Republic Act No. 9994, otherwise known as the “*Expanded Senior Citizens Act of 2010*”.

Adopted,

A handwritten signature in black ink, appearing to read "Gloria Pro", with a long horizontal line extending to the right.