



13 June 2017

SENATOR PAOLO BENIGNO A. AQUINO IV

Senate of the Philippines
Pasay City

Dear Senator Aquino,

The Department of Social Welfare and Development (DSWD) supports the creation of National Commission for Senior Citizens. While the Department previously advocated for the creation of a Council for Senior Citizens – patterned after the structure of various councils attached to DSWD – we deem that a Commission can better perform both policy making and program implementation functions. Hence our strong support to this legislative measure.

To further enhance Senate Bill 674, entitled "An Act Abolishing the National Coordinating and Monitoring Board and Creating the National Commission for Senior Citizens, Amending Therefor Republic Act No. 7432, As Amended by Republic Act No. 9257, As Further Amended by Republic Act No. 9994", we would like to submit the following comments, for consideration:

1) **On Section 1:**

We propose this additional sentence to Section 11. National Commission for Senior Citizens (NCSC). The Commission shall have the same status as that of a government agency attached to the Office of the President.

2) **On Section 2:**

We recommend the following:

Sec. 2. Section 12 of Republic Act No. 7432, as amended, otherwise known as the "Expanded Senior Citizens Act of 2010", is hereby amended to read as follows:

"SECTION 12. **Board of Commissioners.** All functions and powers of the NCSC shall be vested in, and exercised by a Board of Commissioners hereinafter referred to as the Board, composed of:

- 1.1. A Chairperson who shall be appointed by the President;
- 1.2. Ten (10) representatives from the Government, who are heads of the following Departments: Social Welfare and Development (DSWD); Health (DOH); Trade and Industry (DTI); Interior and Local Government (DILG); National Anti-Poverty Commission (NAPC), Justice (DOJ); Transportation and Communication (DOTC); National Economic and Development Authority (NEDA); Finance (DOF) through the Bureau of Internal Revenue (BIR); Commission on Human Rights (CHR); and
- 1.3. Nine (9) representatives from accredited non-government organizations representing the following: Persons with Disabilities; Academe; Labor; Business

and Industry; Farmers and Fisherfolks; Urban Poor; Indigenous Peoples; Science and Health; and Elderly Women.

3) We recommend the following additional sections:

- Section on the **Powers and Functions of the Board**, to read:
The Board shall have the following powers and functions:
 - a) To adopt and prescribe policies, programs/thrusts and rules towards the achievement of the vision and mission of the NCSC and to modify, amend or repeal the same;
 - b) To approve the annual and/or supplemental budget of the NCSC as may be submitted to it by the Executive Director from time to time; and
 - c) To receive, evaluate, modify and approve project proposals on ageing and older person matters from whatever source and to coordinate and evaluate their implementation in accordance with the approved plans and programs;
- Section on **Personnel**, to read:
The Commission shall have such personnel as may be necessary for the performance of its basic functions and such other personnel as may be assigned or detailed from other agencies of the Government. All positions, except technical and professional staff and such other positions as the Board may declare to be highly technical, policy determining or primarily confidential, shall be subject to Civil Service rules and regulations and coverage of the plans of the Wage and Position Classification Office: Provided, That, all personnel shall be entitled to the benefits and privileges normally accorded to government employees, such as retirements, GSIS insurance, leave and similar matters: Provided, further, That, in the appointment and promotion of employees, merit and efficiency shall serve as basis, and no political test or qualification shall be prescribed and considered for such appointments or promotion: Provided, finally, That the NCSC shall be the final authority on appeals on personnel matters concerning its professional and technical personnel.

Thank you.

Very truly yours,


JUDY M. TAGUIWALO
Secretary

POSITION PAPER

Executive Order on the Creation of a National Commission for Senior Citizens

Republic Act (RA) 9994 or the "Expanded Senior Citizens Act of 2010" and its Implementing Rules and Regulations (IRR) is a social legislation that provides Filipino Senior Citizens (SCs) additional benefits and privileges. The Department of Social Welfare and Development (DSWD) is the lead agency coordinating and monitoring the implementation of the law, through an inter-agency mechanism that shall coordinate, monitor and ensure the efficient implementation of said law. This is the National Coordinating and Monitoring Board (NCMB) of RA 9994.

Unlike the Persons with Disabilities (PWDs) which has the National Council on Disability Affairs (NCDA), the women's sector which has the Philippine Commission on Women (PCW), the children's sector which has the Council on the Welfare of Children (CWC) and the youth sector which has the National Youth Commission (NYC), senior citizens or the older persons sector does not have a particular government body devoted to serve their interests. Thus, as a consequence of DSWD being the chair of the NCMB tasked to monitor implementation of RA 9994, the responsibility of addressing their sectoral concerns fell upon the DSWD.

Among the functions of the NCMB as provided for in RA 9994, is to develop an effective monitoring and reporting system towards an efficient, consistent and uniform implementation of the law and to prepare a yearly accomplishment report for the Office of the President, Congress, and the concerned national government and local government units.

Despite the supplemental guidelines issued and programs developed for the senior citizens by the DSWD and concerned agencies relative to RA 9994, and the continuing response by the Department through the NCMB Secretariat on numerous queries and complaints raised to the DSWD, analyses showed that greater efficiency, effectiveness and responsiveness to the sector is still necessary. Since the NCMB monitors only the implementation of RA 9994, other commitments, such as the Philippine Plan of Action for Senior Citizens (PPASC), are not systematically checked. During the National Assessment of the PPASC 2012-2016 last December 2016, the absence of an inter-agency committee to monitor and disseminate the programs of the national plan was specifically identified. Because there is no oversight agency that shall make the government work for the protection, promotion and fulfillment of the rights of older persons, agencies with commitments under the PPASC do not have a body to

- b) To review and assess the conditions of senior citizens including existing laws and policies pertinent thereto and to propose relevant laws and policies to address their role in national development;
- c) To formulate and implement policies, plans, programs and projects for the economic, social and cultural development of SCs and to monitor the implementation thereof;
- d) Subject to existing laws, to enter into contracts, agreements, or arrangement, with government or private agencies or entities as may be necessary to attain the objectives of this Order, and to obtain loans from government lending institutions and other lending institutions to finance its programs;
- e) To negotiate for funds and accept grants, donations, gifts and/or properties in whatever form and from whatever source, local and international, for the benefit of senior citizens and administer the same in accordance with the terms thereof; or in the absence of any condition, in such manner consistent with the interest of senior citizens as well as existing laws;
- f) To coordinate development programs and projects for the advancement of the senior citizens and to oversee the proper implementation thereof;
- g) To promote participation of senior citizens in business creation and entrepreneurial development such as but not limited to mentorship, management and potential investment;
- h) To convene periodic conventions or assemblies of senior citizens to review, assess as well as propose policies or plans;
- i) To prepare yearly accomplishment report for the Office of the President, Congress, and the concerned national government and local government units;
- j) To submit to Congress appropriate legislative proposals intended to carry out the policies under this Order;
- k) To prepare and submit the appropriate budget to the Office of the President;
- l) To promulgate the necessary rules and regulations for the implementation of this Order;
- m) To exercise such other powers and functions as may be directed by the President of the Philippines; and
- n) To represent the senior citizens of the Philippines in all international conferences and conventions dealing with senior citizens and other related concerns."

3) Board of Commissioners

The NCSC shall be composed of a Board of Commissioners with the following membership:

- 1.1. A Chairperson who shall be appointed by the President;
- 1.2. Ten (10) representatives from the Government, who are heads of the following Departments: Social Welfare and Development (DSWD); Health (DOH); Trade and Industry (DTI); Interior and Local Government (DILG); National Anti-Poverty Commission (NAPC), Justice (DOJ); Transportation and Communication (DOTC); National Economic and Development Authority

7. Personnel

The NCSC shall have such personnel as may be necessary for the performance of its basic functions and such other personnel as may be assigned or detailed from other agencies of the Government. All positions, except technical and professional staff and such other positions as the Board may declare to be highly technical, policy determining or primarily confidential, shall be subject to Civil Service rules and regulations and coverage of the plans of the Wage and Position Classification Office. Further, all personnel shall be entitled to the benefits and privileges normally accorded to government employees, such as retirement, GSIS insurance, leave and similar matters. In the appointment and promotion of employees, merit and efficiency shall serve as basis, and no political test or qualification shall be prescribed and considered for such appointments or promotion.

8. Regional Commission for Senior Citizens

Establish in all regions a Regional Commission for Senior Citizens with similar membership and functions as the National Commission. As far as practicable, similar bodies shall be established in the local government units.

9. Appropriations

The sum of one hundred million pesos (P100,000,000.00) is appropriated annually out of any funds in the National Treasury not otherwise appropriated, as operating funds of the NCSC starting in the fiscal year 2019. Provided, that said amount may be increased or decreased in the succeeding years by NCSC in accordance with its financial position.