



## Lungsod ng Bacolod

CITY ORDINANCE NO. 416

October 12, 2006

**AN ORDINANCE ESTABLISHING THE ELDERLY BENEFITS AND ASSISTANCE PROGRAM OF BACOLOD CITY, CREATING A TRUST FUND THEREFOR, AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to Article XV, Section 1 of the Constitution, it is the duty of the family to take care of its elderly members while the State may design programs of social security for them;

**WHEREAS**, Article 23 of the City Ordinance No. 378, series of 2004, known as the Child, Youth, Family Welfare and Development Code, likewise reiterates the aforementioned Constitutional provision and further states that City of Bacolod shall establish and maintain programs of social security for its elderly;

**WHEREAS**, many of our elderly are not gainfully employed considering the government's compulsory retirable age, and most of them are getting too old or sickly, and rely on their meager pensions to sustain them and their families. That fact notwithstanding, many of them are under medication for ailments that normally come with age, and most are no longer covered by life insurance or healthcare plans;

**WHEREAS**, under the auspices of the Office of the Senior Citizens Affairs and the Department of Social Services and Development, the Federation of Senior Citizens Association of Bacolod City Inc. (FSCAB) has instituted a Mortuary Assistance Program for its members, whereby the heirs or beneficiary of a deceased senior citizen member shall be given mortuary assistance so as to augment the expenses for the member's decent burial;

**WHEREAS**, the City of Bacolod shall support such a program in order to expand its coverage and benefits, and ensure its continuity, and when available funds would permit in the future, to include other health and medical benefits, and such other programs that would promote their dignity and well-being and participation in nation-building;

**WHEREAS**, it has been noted that the simple pleasures in life are those moments when our elderly can look forward to be able to go places at the least cost to watch movies in cinema houses, or visits to amusement, eco-tourism parks, resorts, museums and the like, with their children, or grandchildren, or friends, and "bond" with them, thus, not only enabling them to enjoy life more fully but at the same time strengthening their family and social ties;

**WHEREAS**, the Sangguniang Panlungsod is cognizant of the concerns, needs or desires of our elderly, especially in providing them with opportunities that shall promote and ensure their physical, mental, social, economic and spiritual well-being as well as strengthen their family and community ties;

**WHEREAS**, the implementation of Republic Act No. 7432, known as the "Act To Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits and Special Privileges and for Other Purposes" need to be strengthened so that the rights, benefits and special privileges accorded by law to the elderly can be availed and enjoyed by them.

**NOW THEREFORE**, be it ordained by the Sangguniang Panlungsod in session:

**Section 1. ELDERLY BENEFITS AND ASSISTANCE PROGRAM**

An Elderly Benefits and Assistance Program (EBAP) is hereby established and institutionalized that shall provide a package of benefits and assistance such as, but not limited to social, health and nutrition, mortuary, medical and other benefits and assistance, including those mentioned in the subsequent sections, that would promote the dignity and well-being of Senior Citizens of Bacolod City and enhance their participation in nation-building.

**Section 2. EBAP TRUST FUND**

A Trust Fund for the Elderly Benefits and Assistance Program is hereby established and shall be sustained thru annual allocations of no less than P300,000.00 to be taken from the 5% IRA Senior Citizens Fund provided in City Ordinance No. 33, series of 2003.

Upon the passage of this Ordinance, the said amount of P300,000.00 shall be allocated for the mortuary assistance to qualified senior citizens, and may be increased and expanded in the future to cover medical, and other health or social benefits subject to availability of funds. Provided, however, that any amount from said Trust Fund can only be withdrawn or disbursed in accordance with this Ordinance or its Implementing Rules and Regulations.

**Section 3. EBAP COMMITTEE**

A Committee shall be created to formulate the Implementing Rules and Regulations for the availment by the Senior Citizens of Bacolod City of the benefits and assistance under the Elderly Benefits and Assistance Program.

The Committee shall be composed of the City Mayor, the OSCA Head, FSCAB President, DSSD Head, City Treasurer, City Budget Officer and the Sangguniang Panlungsod Committee Chairman on Senior Citizens Affairs. It shall convene within one (1) month from the passage of this Ordinance, to formulate and recommend to the Sangguniang Panlungsod for approval and passage via a resolution, the corresponding Implementing Rules and Regulations.

**Section 4. MORTUARY BENEFITS AND ASSISTANCE**

In addition to the benefits and assistance mentioned in Section 2 hereof, a qualified senior citizen shall be given priority in the availment of the City's pauper coffins and free embalming services as provided in City Ordinance No. 322, series of 2002.

**Section 5. BARANGAY-BASED HEALTH, NUTRITION AND SOCIAL SERVICES**

The City's Barangay Health Workers, Barangay Nutrition Scholars - Workers, Social Workers and Community Development Workers of the City Health Office, Urban Basic Services Project-City Mayor's Office, and the Department of Social Services & Development respectively, shall see to it that in the implementation or delivery of their department's health, nutrition and social services and programs, the elderly shall be served and included in their target clientele or beneficiaries.



The City Mayor, City Budget Officer and respective Heads of the aforementioned Departments shall therefore ensure the inclusion in their respective annual budgets funding for said programs and services for senior citizens.

#### **Section 6. AGREEMENTS WITH BUSINESS ESTABLISHMENTS**

The City of Bacolod thru the City Mayor, may enter into a partnership or cooperation agreements with business establishments or places of amusements such as but not limited to, cinema or movie houses and theaters, or amusement, environmental, or eco-tourism parks and resorts, museums, and other historical sites operating in Bacolod City, for the latter to provide a special Elderly Day in a week or month for qualified indigent senior citizens to have free access or entry into their establishments on certain hours or such special or designated day, under terms and conditions that could best benefit the elderly and the contracting parties subject to the authorization and ratification of said Agreements by the Sangguniang Panlungsod

#### **Section 7. INCENTIVES TO ELDERLY-FRIENDLY ESTABLISHMENTS**

The City Mayor shall direct the Local Finance Committee of the City of Bacolod, in coordination with the EBAP Committee to study and propose recommendations to the Sangguniang Panlungsod for appropriate legislation on possible tax incentives which the City Government may extend or grant to business establishments or entities complying with the provisions of Republic Act No. 7432 and this Ordinance in so far as providing discounts to senior citizens or providing free access or entry to their business establishments are concerned.

#### **Section 8. KOOP-BOTIKA FOR THE ELDERLY**

The City Mayor, City Health Officer, the EBAP Committee in coordination with the Department of Trade and Industry-Bacolod, shall study the feasibility of establishing and maintaining a Koop-Botika for the Elderly under the City Health Office where senior citizens can purchase generic medicines at affordable or subsidized prices for common ailments or those ailments that commonly come with old age, and submit its recommendations including the mechanics for its establishment if so recommended to the Sangguniang Panlungsod for appropriate legislative action.

#### **Section 9. EXISTING BENEFITS**

The availment of benefits and services under this Ordinance shall be in addition to any other benefit or service already granted or extended to Senior Citizens by the Federation of Senior Citizens Associations of Bacolod City Inc. (FSCAB), or the Office of Senior Citizens Affairs, the Department of Social Services & Development, and other concerned Departments of the City Government, or by virtue of any City Ordinance on or about the Elderly and R. A. 7432. Nor shall it diminish or be a cause for the suspension or revocation of the grant of other benefits given at present or in the future by FSCAB, OSCA, the City Government, or the Barangay Government Units to which senior citizens may belong.

#### **Section 10. R. A. NO. 7432**

The provisions of Republic Act No. 7432 are herein incorporated and shall form part of this Ordinance.

The City Mayor, with the assistance of the Office of Senior Citizens Affairs (OSCA), the Department of Social Services & Development (DSSD), and the Federation of Senior Citizens Associations of Bacolod (FSCAB) shall ensure the efficient and effective implementation of said law and this Ordinance.

**Section 11. SEPARABILITY CLAUSE**

If for any reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 12. REPEALING CLAUSE**

All ordinances, resolutions, and executive orders and other issuances which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly

**Section 13. EFFECTIVITY CLAUSE**

This ordinance shall immediately take effect upon its enactment and approval thereof.

**CARRIED BY THE VOTE OF:**

Affirmative:

Councilors: Greg G. Gasalaya, Ana Marie V. Palermo, Lyndon P. Caña, Jocelle Batapa-Sigue, Homer Q. Bais, Dindo C. Ramos, Jude Thaddeus A. Sayson, Napoleon A. Cordova, Elmer T. Sy, Al Victor A. Espino, Catalino T. Allsbo, Reynold J. Iledan, Arturo V. Parreño.

Negative: None.

Absent: None.

Author: Floor Leader Ana Marie V. Palermo

Passed: October 12, 2006 (120th Regular Session)

Comments: Passed

Councilor Marx Louie S. de la Rosa was not yet around when this ordinance was passed.



*[Signature]*  
**RENECITO S. NOVERO**  
Vice Mayor  
Presiding Officer

ATTESTED

*[Signature]*  
**ATTY. NILO T. ALEJANDRINO**  
Secretary to the Sanggunian

APPROVED: October 31, 2006

*[Signature]*  
**EVELIO R. LEONARDIA**  
City Mayor