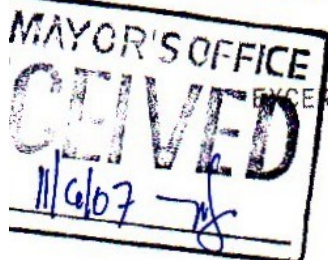


DATE: NOV 06 2007

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

DATE: 11/11/07
BY: [Signature]
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE ELEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON OCTOBER 31, 2007 IN LIEU OF
NOVEMBER 01, 2007



PRESENT:

Hon. Nepomuceno P. Aparis I,
Hon. Claudio P. Larrazabal,
Hon. Sotero M. Pepito,
Hon. Ruben R. Capahi,
Hon. Mariano Y. Corro,
Hon. Fe S. Lladoc,
Hon. Filomeno P. Maglasang,
Hon. Rafael C. Omega, Jr.,
Hon. Fernando P. Parrilla,
Hon. Jose C. Alfaro, Jr.,

Vice Mayor & Presiding Officer
City Councilor, Floor Leader
City Councilor, Assist. Floor Leader
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor

ABSENT:

Hon. Demosthenes F. Tugonon, (Sick Leave), City Councilor
Hon. Cheryl A. Arcuino, (O.B. - China), Ex-Officio City Councilor,
SK Federation President

EXPLANATORY NOTE

This Ordinance aims to give substance and meaning of Rep. Act No. 7432 as amended by Rep. Act No. 9257, otherwise known as the "Expanded Senior Citizens Act of 2003" especially that the Supreme Court in the case of "CARLOS SUPER DRUG CORP., ET AL versus DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT, ET AL", promulgated on Jun 29, 2007, has upheld the constitutionality of aforesaid law, specifically Section 4(a) thereof.

It is a matter of public knowledge that the implementation of the aforementioned law in the words of Inquirer Columnist Ramon J. Farolan "has been, to say the least, spotty, with business establishments and government offices reluctant to take clear and decisive measures to ensure that senior citizens receive what is due them."

It is hoped that with the establishment of the OFFICE OF THE SENIOR CITIZENS AFFAIR (OSCA) as a regular office of the City Government of Ormoc, which will be charged with the proper implementation of the law, there will now be an honest to goodness implementation of the law, so that its intended beneficiaries will be able to enjoy the benefits and privileges provided therein.

FOREGOING PREMISES CONSIDERED, on joint motion of City Councilors Fe S. Lladoc and Mariano Y. Corro, Chairman and Member, respectively, of the Committee on Social Welfare, and duly seconded by City Councilors Rafael C. Omega, Jr. and Sotero M. Pepito; be it

RESOLVED, to enact:

ORDINANCE NO. 137

AN ORDINANCE ESTABLISHING THE OFFICE OF THE SENIOR CITIZENS AFFAIRS (OSCA) IN ORMOC CITY, AND FOR OTHER PURPOSES RELEVANT THERETO.

Be it ordained by the Eleventh Sangguniang Panlungsod ng Ormoc,
That:

SECTION 1. This Ordinance shall be known and cited as the "2007 OSCA ORDINANCE OF ORMOC CITY".

SECTION 2. Purpose - This Ordinance is enacted to make the senior citizens, the concerned establishments and individuals in Ormoc City, conscious of their rights, privileges, benefits, obligations and responsibilities under Republic Act No. 7432, as amended by Republic Act No. 9257, otherwise known as the Expanded Senior Citizens Act of 2003.

SECTION 3. There is hereby created the Office of The Senior Citizens Affairs (OSCA) in the City of Ormoc.

SECTION 4. A Senior Citizen shall be appointed by the City Mayor as head of OSCA with the following qualifications:

- a) A Filipino citizen and resident of the City of Ormoc for at least one (1) year;
- b) A registered voter of the City of Ormoc;
- c) Able to read and write;
- d) Must be physically and mentally fit;
- e) A bonafide member of a duly accredited senior citizen organization with a track record of at least three years.

SECTION 5. The nominees for the head of OSCA shall be chosen/recommended in a general assembly by and among the organizations of senior citizens in Ormoc City. The list of nominees shall be submitted to the Sangguniang Panlungsod Ng Ormoc which choose the three (3) nominees to be forwarded to the Office of the City Mayor.

SECTION 6. The OSCA head shall have a term of office of three (3) years without re-appointment. In case of death or permanent disability, the remaining term shall be served by the new appointee, who has undergone the selection process. The new head may be reappointed if he/she has not served one-half of the full term.

SECTION 7. The OSCA head shall receive compensation with a Salary Grade of 18 (SG 18), and entitled to the same privileges and benefits of a regular employee.

SECTION 8. The Office of the Senior Citizens Affairs of Ormoc City, shall have the following functions:

- a) To plan, implement and monitor yearly work programs pursuant to the objectives of Republic Act. No. 7432, as amended by Republic Act. No. 9257 otherwise known as the expanded Senior Citizens Act of 2003;
- b) To draw up a list of available and required services which can be provided by the Senior Citizens;
- c) To maintain and regularly update on a quarterly basis the list of senior citizens and to issue nationally uniform individual, identification cards and purchase booklets, free of charge, which shall be valid anywhere in the country;
- d) To serve as a general information and liaison center to serve the needs of the senior citizens;
- e) To monitor compliance of the provisions of the Senior Citizens Law particularly the grant of special discounts and privileges to senior citizen:

- f) To report to the City Mayor, establishments found violating any provisions of the Senior Citizen Law;
- g) To assist the senior citizens in filing complaints or charges against any person, natural or judicial, establishment, institution, or agency refusing to comply with the privileges under Senior Citizens Law before the courts in Ormoc City;
- h) To assist and coordinate with the concerned individual, establishment, institution or agency in investigating fraudulent practices and abuses of the discount and privileges exclusively granted to senior citizen; and
- i) To establish linkages and work together with accredited NGOs, POs, and the barangays in their respective areas.

SECTION 9. The Head of the OSCA shall be assisted by the City Social Welfare and Development Officer.

SECTION 10. The Office of the City Mayor shall exercise supervision over the OSCA relative to their plans, activities and programs for the senior citizens. It is likewise the responsibility of the City Mayor to require all establishments covered by Republic Act No. 9257 (Expanded Senior Citizens Act of 2003) to prominently display posters, stickers, and other notices that will generate public awareness of the rights and privileges of senior citizens and to ensure that the provisions of aforementioned law are implemented to its fullest.

SECTION 11. The senior citizen shall be entitled to the following:

- A. Discounts from Establishments - The grant of twenty percent (20%) discount on all prices of goods and services offered to the general public regardless of the amount purchased from all establishments, irrespective of classification, relative to the utilization of service for the exclusive use of senior citizen in the following:
 - 1. HOTELS AND SIMILAR LODGING ESTABLISHMENT - the discount shall be for room accommodation and other amenities offered by the establishment such as but not limited to massage parlor, sauna bath, food, drinks and other services offered.
 - 2. RESTAURANTS - the discount shall be for the purchase of food, drinks, dessert and other consumable items served by the establishments, including value meals and promotional meals offered for the consumption of the general public.
 - 3. RECREATION CENTERS - the discount shall be for the utilization of services in the form of fees, charges and rental facilities such as but not limited to sports facilities and equipment.
 - 4. DRUG STORES, HOSPITAL, PHARMACIES, MEDICAL AND OPTICAL CLINICS AND SIMILAR ESTABLISHMENTS, DISPENSING MEDICINES AND MEDICAL REHABILITATIVE/ASSISTIVE DEVICES - the discount for the purchase of medicines shall be supported by the following:

medicine, dosage form, quantity, dosage, name and signature, address, contact no. of prescribing physician, professional license number, professional tax receipt number and narcotic license number, if applicable, except for the over the counter drugs as defined by BFAD.

- b. Purchase booklet issued by the OSCA for free, containing the following information OSCA I.D. number, control number, date of issue, name of senior citizen, address, date of birth, picture, signature of senior citizen;
- c. Senior citizen's identification document such as: i) Identification card issued by the City Mayor, Office of Senior Citizens Affairs (OSCA) or of the barangay captain of the place where the senior citizen or the elderly resides; ii) the passport of the elderly person or senior citizen concerned; and iii) Other documents that established the senior citizen or elderly person is a citizen of the Republic and who is at least sixty (60) years of age;
- d. Authorization letter currently dated, in case the medicine is bought by the representative of the senior citizen.

5. FUNERAL PARLORS AND SIMILAR ESTABLISHMENTS - the beneficiary or any person who shall shoulder the funeral and burial expenses of the deceased senior citizen, shall claim the 20% discount such as casket, embalment, cremation cost and other related services for the senior citizen upon payment and presentation of his/her death certificate.

B. Admission Fees Privileges - A minimum of twenty-percent (20%) discount on admission fees charged by theaters, cinema houses and concert halls, circuses, carnivals and other similar places of culture, leisure and amusement shall be granted for the exclusive use or enjoyment of senior citizens.

C. MEDICAL AND DENTAL PRIVILEGES IN GOVERNMENT FACILITIES - The senior citizen shall be provided free medical and dental services and 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 Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PHILHEALTH).

D. MEDICAL AND DENTAL SERVICES IN PRIVATE FACILITIES - The senior citizen shall be granted twenty-percent (20%) discount on medical and dental services and diagnostic and laboratory fees such as but not limited to X-ray, computerized tomography scans and blood tests, including professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulations to be issued by the Department of Health, in coordination with the Philippine Health Insurance Corporation.

percent (20%) discount in fare for domestic air and sea travel based on the actual fare the promotional fare, advance booking and similar discounted fare shall be granted for the exclusive use and enjoyment of senior citizens.

F. PUBLIC LAND TRANSPORTATION PRIVILEGES - Twenty percent (20%) discount in public railways, including LRT, MRT, PNR, skyway and fares in buses (PUB), jeepneys (PUJ), tax an shuttle services (AUV) shall be granted for the exclusive use and enjoyment of senior citizens.

G. BASIC NECESSITIES AND PRIME COMMODITIES PRIVILEGES - Every senior citizens shall enjoy a special discount of five percent (5%) of the regular retail price of basic necessities and prime commodities, such as: 1) canned sardines, tuna; 2) evaporated condensed, and powdered filled milk; 3) bread; 4) white and brown sugar, 5) cooking oil; 6) instant noodles; 7) luncheon meat, meat loaf, corned beef/refrigerated/preserved ready to cook pork, beef and chicken; 8) powdered, liquid, bar laundry and detergent soap.

The total amount of said purchase shall not exceed the amount of Six Hundred Fifty Pesos (P650.00) per calendar week without carry over of the unused amount.

To avail of the discount, a senior citizen must present his/her identification card issued by OSCA.

A purchase booklet shall be presented to the retailer every time a purchase of basic necessities and prime commodities is made. The purchase booklet shall be distributed by the OSCA. It shall contain the name of the senior citizen, the list of basic necessities and prime commodities purchased, the retailer's name and address, date of purchase and the amount.

SECTION 12. Express lanes privileges - Express lanes for senior citizens shall be provided in all private, commercial and government establishment. In the absence thereof, priority shall be given to them.

SECTION 13. The provisions of Republic Act No. 7432, as amended by Republic Act No. 9257, and their implementing rules and regulations are hereby adopted and considered as part of this Ordinance.


SECTION 14. The amount necessary to carry out and implement the purposes of this Ordinance shall included in the annual budget of the City Government of Ormoc.


SECTION 15. All city ordinance, executive orders, rules and regulations, which are inconsistent with any provision of this Ordinance are repealed or modified accordingly.

SECTION 16. Should any part or provision of this Ordinance be held unconstitutional and declared invalid by competent court, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

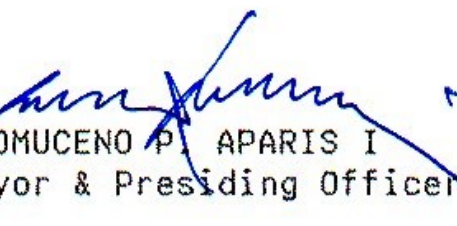
SECTION 17. This Ordinance shall take effect on January 1, 2008, after it shall been published once in a newspaper of local circulation, and posted in two public and conspicuous places for a period of ten days.

ENACTED, October 31, 2007.





JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO P. APARIS I
Vice Mayor & Presiding Officer

APPROVED:


ERIC C. CODILLA
City Mayor

11/22/07
(Date)

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