



SPPO NO. 1718 - _____

WHEREAS, Senior citizens, who are numbering about seven million nationwide, have significantly contributed, one way or another, to the growth and development of every Filipino society;

WHEREAS, it is the policy of this local government to institutionalize measures which grant benefits and privileges to senior citizens, as enshrined under Republic Act No. 9994, otherwise known as the "Expanded Senior Citizens Act of 2010";

WHEREAS, Section 2 of RA 9994 further provides, inter alia, the adoption of measures that would give full support and assistance, as well as implement viable programs designed to augment the senior citizen's total well-being;

WHEREAS, in the light of the national government's compassionate extension of assistance to poor Filipino constituents, thru programs such as the 4Ps or the "*Pantawid Pamilyang Pilipino Program*", this *Sanggunian* firmly believes there must also be a reason for this local government to widen its paradigm of giving help to senior citizens, particularly the indigent ones who equally need compassion and understanding;

NOW THEREFORE, on motion of City Councilor Jose Edmar J. Yumang, duly seconded by City Councilors _____, be it-

RESOLVED as it is hereby resolved, to enact this Ordinance:

ORDINANCE NO. ____
Series of 2017

AN ORDINANCE GRANTING MORTUARY CASH ASSISTANCE TO THE FAMILY OF DECEASED INDIGENT SENIOR CITIZENS OF THE CITY OF GENERAL SANTOS, PROVIDING GUIDELINES AND FUNDS THEREFOR, AND FOR OTHER PURPOSES

Hon. Jose Edmar J. Yumang – Author

Be it enacted by the Sangguniang Panlungsod of General Santos that:

SECTION 1. Short Title. – This Ordinance shall be known as the "Indigent Senior Citizens Cash Mortuary Assistance Ordinance of General Santos City."

SECTION 2. Statement of Policy and Objective. – The Local Government of General Santos City fully subscribes to the constitutional mandate of recognizing the rights and privileges of senior citizens as an integral part of the Filipino society, whereby it shall design and adopt proactive measures and programs geared towards extending comfort and social services to all indigent senior citizens of the City. It is for this purpose that a cash mortuary assistance shall be afforded to them.

SECTION 3. Definition of Terms. – As used in this ordinance, the following terms shall mean:

(a) Senior Citizen – refers to any resident citizen of the City at least sixty (60) years old;

- (b) Indigent senior citizen – refers to a senior citizen who is frail, sickly, or with disability, and without any pension or permanent source of income, compensation or financial assistance from his/her relatives to support his/her basic needs, as determined by the City Social Welfare and Development Office (CSWDO).
- (c) Surviving Heir – is a person called to the succession of the deceased person by operation of law, in the following order, to wit;

The duty and right to make arrangements for the funeral of a relative shall be in accordance with the order established for support, under Article 294 of the Civil Code;

- i. From the spouse;
- ii. From the descendants of the nearest degree;
- iii. From the ascendants, also of the nearest degree;
- iv. From brothers and sisters.

Among the descendants and ascendants the order in which they are called to the intestate succession of the person who has right to claim support shall be observed.

Article 305 further provides that in case of descendants of the same degree, or of brothers and sisters, the oldest shall be preferred. In case of ascendants, the paternal shall have a better right. (*Civil Code of the Philippines.*)

SECTION 4. Budget/Funding and Amount of Cash Mortuary Assistance. - The City Government shall allocate funds for this purpose to be incorporated in the General Fund and/or Supplemental Budget, coursed through the City Social Welfare and Development Office (CSWDO). The specific amount shall be Two Thousand Pesos (P2,000.00) for each qualified deceased indigent senior citizen.

SECTION 5. Guidelines, Qualifications and Mode of Availment of Cash Mortuary Assistance. – Claimant(s) representing the deceased indigent senior citizen shall be subjected to the following stringent rules:

- a.) Bona-fide residents of General Santos City shall be the priority;
- b.) The nearest surviving heir, who survives the qualified deceased senior citizen, shall present to the CSWDO the following documents, viz:
 - b.1. Senior Citizen’s ID;
 - b.2 Original Copy of Death Certificate;
 - b.2. Accomplishment of Proof of residency, which shall be further verified and confirmed thru the following:
 - 1.) Submission of photocopy of either Voter’s ID or certification from the COMELEC. The original copy of the same shall be presented for added verification if so required.

2.) Certificate of Residency duly issued by the Punong Barangay.

3.) Actual inspection of residence to be conducted by the City's authorized personnel.

- c.) If the deceased indigent senior citizen has no surviving spouse, the nearest surviving relative shall claim subject cash mortuary assistance, which shall be in the following order of degree of kinship: descendant, ascendant, brothers and sisters, nephews and nieces, grandchildren, uncle and aunts;
- d.) Release of Cash Mortuary Assistance to qualified deceased senior citizen beneficiary shall be processed and facilitated by the CSWDO, subject to usual accounting and auditing rules and regulations.

SECTION 6. Repealing Clause. - All previous ordinances, rules and regulations inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 7. Separability Clause. If for any reasons any part or provisions of this Ordinance shall be held unconstitutional or invalid, other parts of provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Effectivity. – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within the City.

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