IN CONFORMITY TO AND IN COMPLIANCE WITH THE DIRECTIVE STATED IN RULE V, PARAGRAPH A, SUB-SECTION A.1 OF THE IMPLEMENTING RULES AND REGULATIONS OF R.A. 7432 ENTITLED, “AN ACT TO ...

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I.
Construction

These provisions shall be construed and applied in accordance with and in furtherance of the policy and objectives of R.A. 7432. In case of conflict and/or ambiguity which may arise in the implementation of these provisions, it shall be construed liberally in favor of the beneficiaries.

II.
Definition of Terms

Senior Citizens - any resident citizen of the Philippines, at least sixty (60) years old, including those who have retired from both government offices and private enterprises and has an income of not more than sixty thousand pesos (P 60,000.00) per annum subject to review by the National Statistic Coordination Board (NSCB) every three (3) years.

Office for the Senior Citizens Affairs - is established in the Office of the Mayor and headed by a councilor who shall be designated by the Sangguniang Bayan/Panglungsod in coordination with the Department of Social Welfare and Development (DSWD) and the Municipality federation of Senior Citizens.

National Identification Cards – identification cards provided for, initially for free the Department of Social Welfare and Development and issued through the OSCA.

III.
Grant Benefits to Senior Citizens

SECTION 1. Every senior citizen who is a passenger of any public water transportation service as the term is understood under the Public Service act, as amended, shall be entitled to a discount in the amount of not less than twenty percent (20%) of the fare charge or authorized, regardless of the type of accommodation (i.e., first class, second class, third class) being sought.

SECTION 2. A senior citizen on board any public water transportation service shall also be entitled to discount of not less than twenty percent (20%) of the tag price on purchases of meals or items from the restaurants on board the vessels regardless of whatever the same is operated by a concessionaire or the carrier; provided that a senior citizen’s entitlement under this provision shall be limited to that quality to be consumed by him/her per meal.

IV.
Those Entitled t the Aforementioned Benefits

In determining citizens who are entitled to the foregoing benefits, all interisland water transport operators shall be

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guided by the following:

- As to proof of age (at least 60 years old): Unless his/her physical appearance shows that such person claiming to be a senior citizen shall be asked to produce proof of his/her age by presentation of the Official Identification Card issued by the Office for Senior Citizens (OSCA) of the Local Government Unit(s) pursuant to the guidelines on the issuance of the uniform National ID card for Senior Citizens.

- As to proof of annual income (P 60,000 and below):

a. OSCA ID

V.
Ticketing/Booking Offices

SECTION 1. Ticketing or booking offices of shipping companies/owners/and operators shall grant passage reservations to the beneficiaries/senior citizens provided however, that aforesaid offices not refuse the grant of the requisite discounts.

SECTION 2. The aforesaid passage reservations shall entitle the holder senior citizen to passage provided that on or before the day of departure, the holder senior citizen shall purchase the corresponding tickets at the authorized offices at a discounted price, provided further that if purchase is made on the day of departure this must be done at least two (2) hours before departure.

VI.
Sanctions

Violations of any of these provisions shall be punishable with a fine of not less than P 1,000.00; PROVIDED that in the case of violation of Paragraph I aforementioned, the senior citizen has shown documents/papers required under Paragraph II. Repeated violations of this Circular shall be a cause for the suspension/revocation/cancellation of the Certificate of Public Convenience/Provisional Authority/Special Permit/ Any authority to operate, as the case may be.

VII.
Procedure

Proceedings for violations for violations of any of the provisions of this Circular shall be summary in nature, as provided hereunder.

SECTION 1. The only pleadings allowed to be filed are the complaint-affidavit and the answer.

SECTION 2. That MARINA may motu propio, deny due course to any complaint if upon evaluation thereof, it appears to be insufficient to initiate prosecution.

SECTION 3. All pleadings must be verified.

SECTION 4. The MARINA upon finding a cause to hold respondent for prosecution shall issue an Order, stating therein the alleged violation of the provisions of this Circular and/or other pertinent rules and regulations, requiring respondent to file his comment or answer.

SECTION 5. The Order referred to in the preceding section shall be attached to a xerox copy of the complaint and shall be served upon the respondent by registered mail or personally.

SECTION 6. Failure of the Respondent to file an answer to the complaint, the case shall be deemed submitted for decision based on the evidence on record; unless, the hearing officer deems it necessary to hold a hearing to

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clarify specific factual matters in which case, he shall set the case for hearing.

SECTION 7. If the complaint is incapable of being present at the hearing, depositions on oral examination may be taken.

This Memorandum Circular shall take effect fifteen (15) days after its publication once in a newspaper of general circulation.

Adopted: 13 July, 1995

(SGD.) PACIENCIO M. BALBON, JR.
Administrator

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