

**MALACAÑANG**  
**Manila**

**BY THE PRESIDENT OF THE PHILIPPINES**

**EXECUTIVE ORDER NO. 105**

**APPROVING AND DIRECTING THE IMPLEMENTATION OF THE PROGRAM "PROVISION OF GROUP HOME/FOSTER HOME FOR NEGLECTED, ABANDONED, ABUSED, DETACHED AND POOR OLDER PERSONS AND PERSONS WITH DISABILITIES"**

**WHEREAS**, pursuant to Article XIII, Section II of the 1987 Philippine Constitution "The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services (including housing) available to all the people at affordable cost";

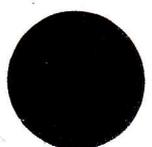
**WHEREAS**, by virtue of the membership of the Philippine Government in the Economic and Social Commission for Asia and the Pacific (ESCAP), the State is committed to implement the actions agreed upon in the Macau Declaration and Plan of Action on Ageing for Asia and the Pacific;

**WHEREAS**, pursuant to Executive Order No. 266, Republic Act 7277 and Batas Pambansa 344, all concerned government departments, agencies, offices, bureaus or instrumentalities including government owned and controlled corporations, local government units and non-government organizations are directed to ensure that the rights of older persons and persons with disabilities are upheld, their needs and concerns are addressed, and their roles as active participants in nation building are fully recognized;

**WHEREAS**, a Technical Working Group, spearheaded by the Department of Social Welfare and Development (DSWD) formulated the 1999-2004 Philippine Plan of Action for Older Persons (PPAOP) and Philippine Plan of Action for Persons with Disabilities (PPWD) containing the country's vision for the upliftment and development of older persons and persons with disabilities which shall serve as the instrument in implementing the commitments of the Philippine Government to ESCAP and UN Decade of PWDs;

**WHEREAS**, for the period 2001-2004, it is estimated that the average proportion of population of persons 60 years old and above to total population is about six percent (6%) and persons with disabilities is about three percent (3%);

**WHEREAS**, the Philippine Plan of Action for Older Persons and Philippine Plan of Action for Persons with Disabilities encouraged the provision of group home/foster home for neglected, abandoned, abused and detached older persons and persons with disabilities;



**WHEREAS,** Persons with Disabilities who choose to live independently or outside their unit family home, shall likewise be afforded the right for a housing unit;

**WHEREAS,** there is a need to establish a program, which will address the housing requirements of neglected, abandoned, abused and unattached older persons and persons with disabilities.

**NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO,** President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. Housing Program for the Poor Older Persons and Persons with Disabilities.** – The housing program for the poor older persons and persons with disabilities includes the establishment/donation of group/foster homes for the neglected, abused and unattached or homeless older and disabled persons and those incapable of self-care including its management, maintenance and operations.

**SEC 2. Grant of Incentives.** – All donations made to the Housing Program for the poor Aged and Disabled Persons are allowed as a tax-deductible item from the gross income of the participating entities/donors subject to the provisions of Sec. 34 of RA 8424 or the Tax Reform Act of 1997. The tax privilege shall be applicable only for the taxable year the donation was made.

The families that will serve as caregivers for the poor aged and disabled persons shall also be entitled to personal income tax exemptions pursuant to the provisions of Republic Act 7432

**SEC 3. Participation of Government Agencies.** – The Social Security System (SSS), Government Service Insurance System (GSIS), Home Development Mutual Fund (HDMF) and Land Bank of the Philippines (LBP) are hereby directed to develop innovative financing/lending schemes for housing of poor aged and disabled persons.

The Housing and Land Use Regulatory Board (HLURB) is also directed to formulate housing designs and standards for the aged and disabled persons and study the possibility of providing the provision of group/foster homes for the aged and older persons as a mode of compliance to the 20% balanced housing requirements under Republic Act 7279 or the Urban Development and Housing Act.

**SEC 4. Formulation of Implementing Rules and Regulations.** – The Housing and Urban Development Coordinating Council (HUDCC), the National Anti Poverty Commission (NAPC) and the Department of Social Welfare and Development (DSWD) are hereby directed to formulate implementing guidelines and/or implementing rules and regulations (IRRs) of this order for government sector and private developers' compliance with the program.



The HUDCC, NAPC and DSWD may call on the support and assistance of other government agencies, bureaus and instrumentalities including private sector organizations, in the implementation of this order, which shall also guide the Local Government Units in the execution of the program at the local level.

**SEC 5. Monitoring and Evaluation.** – The HUDCC, NAPC and DSWD shall conduct periodic evaluation on the implementation of housing program for poor older persons and persons with disabilities. The HUDCC shall convene an inter-agency committee to undertake periodic assessment every year, and provisions of the guidelines may be refined as the need arises.

**SEC 6. Effectivity.** – This Executive Order shall take effect immediately.

Done in the City of Manila, this *16th* day of *May*, in the year of Our Lord, two thousand and two.



By the President:



**ALBERTO G. ROMULO**

Executive Secretary

