

A BILL FOR AN ACT TO ESTABLISH SPECIAL PRIVILEGES FOR SENIOR CITIZENS IN NIGERIA, PROVIDE PENALTIES FOR BREACH THEREUNDER AND MATTERS CONNECTED THEREWITH

Commencement

Interpretation

A BILL FOR AN ACT TO ESTABLISH SPECIAL PRIVILEGES FOR SENIOR CITIZENS IN NIGERIA, PROVIDE PENALTIES FOR BREACH THEREUNDER AND MATTERS CONNECTED THEREWITH

PREAMBLE:

Recognizing that persons in Nigeria who are more than sixty five years of age and commonly referred to as *old persons, senior citizens* or *seniors* are vulnerable and have special needs and therefore deserve special attention.

Admitting that our culture places high regard and respect for senior citizens and their special needs and

Avowing that the Government of the Federal Republic of Nigeria is committed to the welfare of all its citizens especially senior citizens,

It is hereby enacted by the National Assembly as follows:

1 PART 1- PRELIMINARY (SECTION 1)

2 (1)This Act may be called the Maintenance and Welfare of Senior 3 Citizens Act,
2011

4 (2)It extends to the whole of Nigeria and it applies also to citizens
5 outside Nigeria

6

7 **INTERPRETATION SECTION (SECTION 2)**

8

9 In this Act, unless the context otherwise requires, the following 10
words shall have the meanings ascribed to them

11 **ACT-** Maintenance and Welfare of Senior Citizens Act 2011

12 **Court-** Includes the Federal and State High Courts

13 **Minister-** The Minister of Internal Affairs

14

15 **Senior Citizen-** Any Nigerian male or female over the age of

16 65years

17

18 **Commission-** Commission for senior Citizens privileges

19

20 **Children-** Includes son, daughter, grandson and grand-daughter

21 but does not include a minor

22

23 **Maintenance-**Includes provision for food, clothing, residence, 24
medical attendance and treatment

25

26 **Minor-** Means a person under the age of 21.

27

Establishment

28 **Parent-** Means father or mother whether biological, adoptive, 29
step father, step mother as the case may be who is a senior 30 30
citizen.

31

32 **Prescribed-** Means prescribed by Rules made by the

33 government under this Act.

1 **Property-** Includes property of any kind, whether movable or
2 immovable, ancestral or self acquired, tangible or intangible and
3 includes rights or interests in such property

4 **Relative-** Means any legal heir of a childless senior citizen who is
5 not a minor and is in possession of or would inherit his/her
6 property after his demise.

7 **Tribunal-** Means the Senior Citizens Maintenance Tribunal
8 constituted under this Act

9 **Family** –Includes children, relative and any one closely connected
10 with a senior citizen by blood, marriage or law.

11

12 **OVERRIDING EFFECT OF ACT (SECTION 3)**

13 The provisions of this Act shall have effect notwithstanding
14 anything inconsistent therewith contained in any enactment
15 other than this Act, or in any instrument having effect by virtue
16 of any enactment other than this Act.

17

18 **PART 2**

19 **ESTABLISHMENT OF BOARD/COMMISSION FOR**

20 **PRIVILEGES OF SENIOR CITIZENS (SECTION 4)**

21
22 There is hereby established under this Act, a body to be known
23 as the SENIOR CITIZENS WELFARE COMMUNITY (In this Act,
24 referred to as the Commission)

25 The Commission shall be-

26 (a) a body corporate with perpetual succession and a common
27 seal;

28 (b) capable of suing and being sued in its corporate name; and

29 (c) capable of acquiring, holding or disposing of any property,
30 movable or immovable for the purpose of carrying out its
31 functions.

32 (d) the headquarters of the Commission shall be situate in the
33 Federal Capital Territory, Abuja, and there shall be
established 34 an office of the Commission in each state of the
federation

Tenure of Office

35 the Commission shall be an arm of the Ministry of Internal
36 Affairs

37 (e)The department of Social and Community
welfare/development 38 under the Ministry of Youths, Sports and
Social Development 39 shall be scrapped/pulled out, merged with
and /or converted 40 into the Commission. As the Commission, it
shall maintain the 41 same mandate and functions that it
exercises presently under 42 the Ministry of Youth and Social
Development, in addition to

43 any further mandate and/or functions it shall be saddled with
44 hereunder, but with special emphasis and priority to affairs of
45 the elderly.

46

47 **MEMBERSHIP OF THE COMMISSION (SECTION 5)**

48

49 The Commission shall consist of the following members:

50 (a) a chairperson who shall be appointed by the President on the
51 recommendation of the Minister. The Chairperson shall be a
52 person who by reason of ability, experience or expertise of
53 health, sociological or psychological matters or professional

1 attainments would in the President's opinion be capable of
2 making outstanding contributions to the work of the Commission.

3 (b) one representative of the health community appointed by the
4 minister on the recommendation of the Nigerian Medical
5 Association

*Remuneration
and Allowance*

6 (c) one representative of the legal profession appointed by the
7 Minister on the recommendation of the Nigerian Bar
8 Association

8 (d) 2 leading sociologists/psychologists appointed by the Minister
9 on the recommendations of Ministry of Social Development

*Proceedings of
the Commission*

10 (e) six leading authority on Nigerian customary/cultural affairs to
11 be appointed by the Minister on the recommendation of the
12 council of traditional rulers, each from the geo-political zone.

13 (f) the Registrar-General of the Commission

14

15 **TENURE OF OFFICE: (SECTION 6)**

16

17 (1) Subject to the provisions of subsection (2) of this
section, a
18 person appointed as a member of this Commission (not
being 19 an ex-officio member) shall hold office for three
years and
20 shall be eligible for re-appointment for one further term
of
21 three years.

22 (2) The Minister may, with the approval of the President at
any 23 time remove any member of the Commission from
office if the
24 Minister is of the opinion that it is not in the interest of
the
25 Commission for the member to continue in office and
shall
26 notify the member in writing to that effect.

27 (3) The members of the Commission except the Registrar-
General 28 shall be part-time members of the Commission.

29 (4) Any member of the Commission shall cease to hold
office if-

30 (a) He becomes of unsound mind or is incapable of
carrying

31 out his duties;

32 (b) He becomes bankrupt or has made arrangement
with his

33 creditors;

34 (c) He is convicted of a felony or any offence involving
35 dishonesty;

36 (d) He is guilty of serious misconduct relating to his
duties; or

37 (e) In the case of a person possessed of professional
qualifications, 38 he is disqualified or suspended (other
than at his own request) 39 from practising his profession
in any part of Nigeria by the

40 order of any competent authority made in respect of
him

41 personally.

*Functions and
Powers of the
Commission*

*Fund of the
Commission*

42

43 **REMUNERATION AND ALLOWANCE (SECTION 7)**

44

45 Members of the Commission shall be paid such remuneration
46 and allowances as the President may, from time to time direct.

47

48 **PROCEEDINGS OF THE COMMISSION (SECTION 8)**

49

50 (1) Subject to this section and section 27 of the Interpretation
51 Act, the Commission may make standing orders regulating its
52 proceedings.

1 (2) The chairman shall preside at every meeting of the Commission
2 but, in his absence, the members present shall elect one of their
3 numbers present to preside at the meeting.

4 (3) The quorum for meetings of the Commissions shall be five.

5 (4) The Commission may appoint any of its officers to act as
6 secretary at any of its meetings.

Privileges

7

8 **PART 3**

9 **FUNCTIONS AND POWERS OF THE COMMISSION (SECTION 9)**

10 The Commission shall be the principal and apex regulatory
11 organization in respect of the rights of senior citizens and shall 12 carry out
the functions and exercise the powers prescribed in
13 this Act, and in particular, shall:

14

15 (a) Regulate and manage the monies and funds from which the
16 social security and other benefits accruable to senior citizens.

17

18 (b) Form, register, regulate and update a data base comprising of 19 all
senior citizens in Nigeria.

20

21 (c) Regulate all benefits, entitlement and privileges to be enjoyed 22 by
senior citizens.

23

24 (d) Regulate/act as intermediary in respect of all offers by
25 interested persons, groups and stakeholders wishing to
26 contribute to the fund and/or have dealings with senior citizens.

27

28 (e) Collaborate and liaise with the Ministry of Health, local
29 government units and other concerned organizations involved 30 in the
care and welfare of the elderly.

31

32 (f) To liaise with the relevant authorities to ensure that an Office 33 for Senior
Citizens Affairs is established in all cities and
34 municipalities, and a senior citizen's ward in every government 35 hospital.

36

37 **FUND OF THE COMMISSION (SECTION 10)**

38 The Commission shall establish a fund which shall consist of
39 such sums as may be allocated to it by the federal Government 40 and such
other funds as may accrue to it in the discharge of its 41 functions.

42

43 **PART 4**

44 **PRIVILEGES, BENEFITS AND ENTITLEMENTS OF SENIOR**

45 **CITIZENS**

46 **(A) OBLIGATIONS OF THE GOVERNMENT TO SENIOR**

47 **CITIZENS: (SECTION 11)**

48

49 **SOCIAL SECURITY (SECTION 12)**

50

51 From the commencement of this Act, every senior citizen in
52 Nigeria shall be entitled to monthly payment of a specified sum 53 to be
declared in Regulations made pursuant to this Act by the 54 Minister for Internal
Affairs but not less than N40,000 (Forty

1 thousand naira). This sum/scheme shall be called the Social
2 security program. Every senior citizen will receive this old-age
3 benefit each month without prejudice to any other

4 welfare/retirement package such a senior citizen may be entitled 5 to under any
other law/scheme such as Disability Insurance or 6 Pension scheme and
notwithstanding that such a senior citizen 7 never worked in the public sector or
for the government.

8

9 **FREE VACCINATIONS FOR INDIGENT SENIOR CITIZENS**

10 **(SECTION 13)**

*Free vaccinations
for indigent senior
citizens*

11 Every senior citizen shall be entitled to free vaccinations
12 against the influenza virus, pneumococcal and other common
13 diseases associated with old age. For this purpose, The
14 MINISTER shall cause to be issued technical and operational
15 guidelines not later than thirty (30) days from commencement
16 of this Act

17 The Commission shall have the responsibility to establish and
18 run residential homes, centers and facilities for neglected,
19 abandoned, unattached or homeless senior citizens.

20 The MINISTER shall enjoin all government and private
21 hospitals, as well as other health facilities to post, publish or
22 print out a schedule of health benefits and privileges i.e.,
23 laboratory and diagnostic test fees, which should be regularly
24 updated. These postings and publications shall be clearly
25 identified, posted and circulated in hospitals and public
26 places.

27

28 **INCOME TAX EXEMPTION (SECTION 14)**

29

30 The senior citizen shall be entitled to exemption from the
31 payment of the individual income tax.

32

33 **EXEMPTION FROM TRAINING FEES: (SECTION 15)**

34

*Income tax
exemption*

35 The senior citizen shall be exempted from training fees for
36 socio-economic programs conducted by private and government
37 agencies subject to the guidelines to be issued within thirty
38 (30) days from commencement of this Act by the Ministry of
39 Labor and National Directorate for Employment (NDE) and the
40 Department of Science and Technology.

*Exemption from
training fees*

41

42 **FREE MEDICAL AND DENTAL SERVICES IN GOVERNMENT
43 FACILITIES: (SECTION 16)**

44

*Free Medical and
dental services in
government
facilities*

45 Medical and dental services, diagnostic and laboratory tests
46 requested by the physician including but not limited to X-rays,
47 computerized scans, and blood tests required by senior
48 citizens, including professional fees of attending doctors in all
49 government hospitals, medical facilities, outpatient clinics,
50 and home health care services, shall be provided free of charge
51 to senior citizens. These shall be in accordance with the rules
52 and regulations to be issued by the MINISTER of Health.

1 For this purpose, a senior citizen ward shall be established in
2 every government hospital.

3

4 Every senior citizen shall also be protected by the Medicare
5 program. This program provides basic health care benefits.
6 Medicare is divided into a hospital insurance program and a
7 supplementary medical insurance program. The hospital
8 insurance plan covers reasonable and medically necessary
9 treatment in a hospital or skilled nursing home, meals, regular
10 nursing care services, and the cost of necessary special care.

11

12 Medicare also pays for home health services and hospice care
13 for terminally ill patients.

14

15 Medicare's supplementary medical insurance program is
16 financed by monthly insurance premiums paid by people who
17 sign up for coverage, combined with money contributed by the
18 federal government.

19

20 The government shall ensure that the government hospitals
21 provide beds for all senior citizens as far as possible;

22

23 Separate queues shall be arranged for senior citizens in
24 hospitals and every other public place where queuing is
25 required.

26

27 Facility for treatment of chronic, terminal and degenerative
28 diseases shall be expanded for senior citizens.

29

30 Research activities for chronic elderly diseases and ageing
31 expanded.

32

33 There are earmarked facilities for geriatric patients in every
34 district hospital duly headed by a medical officer with
35 experience in geriatric care.

36

37 The government contributes the major portion of the cost of
38 the program, which is funded out of general tax revenues.

39 Persons who enrol pay a regular monthly premium and also a
40 small annual deductible fee for any medical costs incurred
41 during the year above the amount funded by the government.
42 Once the deductible has been paid, Medicare pays 80 percent
43 of any medical bills.

44

45 Every senior citizen shall be entitled to a five-percent discount
46 on water bills (if consumption is less than 30 cubic meters a
47 month) and electric bills (if consumption is less than 100
49 kilowatt-hours)

50

51 **EDUCATIONAL PRIVILEGES: (SECTION 17)**

52

53 Educational assistance shall be granted to senior citizens to
54 pursue post secondary as well as vocational or technical
1 education in both public and private schools through provision
of 2 scholarships, grants, financial aid, subsidies and other
incentives 3 to qualified senior citizens, including support for

*Educational
Privileges*

books, learning 4 materials, and uniform allowance, to the extent
feasible. Provided, 5 that senior citizens shall meet minimum
admission requirements.

6

7 **PRIVILEGES ON GRANTING SPECIAL DISCOUNTS IN SPECIAL**
8 **PROGRAMS: (SECTION 18)**

9

10 The government may grant special discounts in special
11 programs for senior citizens on purchase of basic necessities
12 and prime commodities, subject to the guidelines to be issued
13 for the purpose by the MINISTER of Trade and Commerce within
14 thirty (30) days from the commencement of this Act. Provided,
15 that such special programs and their guidelines shall be
16 developed by the concerned department within the concerned
17 department's jurisdiction.

18

19 Every senior citizen shall be entitled to a 20-percent discount
20 and exemption from the value-added tax on the sale of goods
21 and services (medicines, medical and dental fees, transport
22 fares, services in hotels and restaurants, admission fees in
23 theatres and other places of leisure)

24

25 In case of discount promos, the senior citizens shall avail
26 themselves of either the promotional discount or the 20-percent
27 discount, whichever is higher.

28

29 **EXPRESS LANE PRIVILEGES: (SECTION 19)**

30

31 Accessible express lanes for senior citizens shall be provided in
32 all roads federal and state as well as commercial, and
33 government establishments; in the absence thereof, priority
34 shall be given to senior citizens.

35

36 **BANKING: (SECTION 20)**

37

38 Banks shall give special privileges to the senior citizens and
39 shall offer to them 0.5% -1% higher rates on fixed deposits
40 compared with that to ordinary investors. This is in affirmation
41 of the fact that senior citizens usually have a bulk of their
42 investments in fixed deposits, thus making them prized
43 customers for banks.

44

45 **OLD AGE HOMES/RETIREMENT COMMUNITIES:**

46 **(SECTION 21)**

47

48 The Commission shall establish senior citizens retirement
49 communities. These planned communities allow only senior
50 citizens to buy or rent housing. This is in recognition of the fact
51 that many seniors feel more independent and secure in a
52 retirement community than in an ordinary neighbourhood. Legal
53 provisions in a retirement community's development plan are

1 incorporated into the deeds of all property owners, prohibiting,

2 for example, children from residing in the community. In this
3 way, the special nature of the neighbourhood shall be preserved.

4
5 The government shall establish and maintain such number of old
6 age homes at accessible places as it may deem necessary in a
7 phased manner, beginning with at least one in each district to
8 accommodate a maximum of 120 senior citizens who are
9 indigent.

10
11 The government shall prescribe a scheme for management of old
12 age homes including the standards and various types of services
13 to be provided by them which are necessary for the medical
14 care, entertainment and total wellbeing of the inhabitants of
15 such homes.

16
17 **PROTECTION AGAINST CRIME: (SECTION 22)**

18
19 It is hereby acknowledged that because of their physical
20 vulnerability and personal isolation, senior citizens are robbed
21 more often than are the members of other age groups. Seniors
22 are also the most likely group in society to be swindled.

*Protection
against crime*

23
24 The Government shall employ all resources within its reach to
25 educate senior citizens about mail and telemarketing schemes
26 that defraud thousands of seniors each year.

27
28 The Government shall prescribe a comprehensive action plan for
29 providing protection of life and property of senior citizens.

30
31 **PUBLICITY OF THIS ACT (SECTION 23)**

32
33 The government shall take all measures to ensure that-
34 -the provisions of this act are given wide publicity through
35 public media including the television, radio and the print at
36 regular intervals;

*Publicity of this
act*

37
38 -the central and state government officers including the police
39 officers and the members of the judicial service are given
40 periodic sensitization and awareness training on the issues
41 relating to this Act.

42 -effective co-ordination between the service provided by the
43 concerned Ministries or departments dealing with law, home
44 affairs, health and welfare, to address the issues relating to the
45 welfare of the senior citizens and periodical review of the same is
46 conducted.

47 **TRANSFER OF PROPRIETARY RIGHTS BY SENIOR**
48 **(SECTION 24)**

49 Where any senior citizen who after the commencement of this
50 Act, has transferred by way of gift or otherwise his property
51 subject to the condition that the transferee shall provide the
52 basic amenities and basic physical needs to the transferor and
53 such transferee refuses or fails to provide such amenities and
1 physical needs, the said transfer of property shall be deemed to
2 have been made by fraud or coercion or under undue influence

*Transfer of
proprietary by
senior*

3 and shall at the option of the transferor be declared void by the
4 tribunal.

5
6

7 **COMPENSATION TO SURVIVING FAMILY IN CASE OF DEATH**
8 **OF A SENIOR: (SECTION 25)**

*Compensation
to surviving
family in case
of death of a
senior*

9
10 In case of death, the nearest surviving relative of the deceased
11 senior citizen shall get N200, 000.00 (Two hundred thousand
12 naira)

13

14 **(B)OBLIGATIONS OF FAMILY TO SENIOR CITIZENS**
15 **(SECTION 26)**

*Obligations of
family to senior
citizens*

16 A senior citizen including parent who is unable to maintain
17 himself from his own earning or out of property owned by him
18 shall be entitled to make an application under Section--- of this
19 Act in case of-

20 (a)Parent or grandparent against one or more of his children not
21 being a minor;

22 (b) A childless senior citizen, against any such of his relative.

23 (2)The obligation of the children or relative as the case may be to
24 maintain a senior citizen extends to the needs of such citizen so
25 that the senior citizen may lead a normal life.

26 (3)Any person being a relative of a senior citizen and having
27 sufficient means shall maintain such senior citizen provided he
28 is in possession of the property of such senior citizen or he
29 would inherit the property of such senior citizen.

30

31 Provided that where more than one relatives are entitled to
32 inherit the property of a senior citizen, the maintenance shall be
33 payable by such relatives in the proportion in which they would
34 inherit his property.

35

36 An application for maintenance under section ..., may be-

37 (a) By a senior citizen or a parent, as the case may be; or

38 (b) If he is incapable by any other person or organization
39 authorized 39 by him; or

40 (c)The Tribunal may take cognizance suo motu.

41 The Tribunal may during the pendency of the proceeding
42 regarding monthly allowance for maintenance under this section,
43 order such children or relative to make a monthly allowance for
44 the interim maintenance of such senior citizen including parent
45 and to pay the same to such senior citizen including parent as
46 the Tribunal may from time to time direct.

47

48 **TIME LIMIT FOR HEARING BY TRIBUNAL (SECTION 27)**

49

*Time limit for
hearing by
tribunal*

50 An application filed under sub- section--- for the monthly
51 allowance, maintenance and expenses shall as far as possible be
52 disposed of within ninety days from the date of the service of
53 notice of the application to such person.

1 An application for maintenance under sub-section... may be filed
2 against one or more persons

3

4 Where a maintenance order was made against more than one
5 person, the death of one of them does not affect the liability of
6 others to continue paying maintenance.

7

8 Any such allowance for the maintenance and expenses for
9 proceeding shall be payable from the date of the order, or, if so
10 ordered, from the date of the application for maintenance or
11 expenses of proceeding, as the case may be.

12

13 **ISSUANCE OF WARRANT BY TRIBUNAL (SECTION 28)**

14

15 If children or relative so ordered fail without sufficient cause to
16 comply with the order, any such Tribunal may, for every breach
17 of the order, issue a warrant for levying the amount due in the
18 manner provided for levying fines, and may sentence such
19 person for the whole or any part of each month's allowance for
20 the maintenance and expenses of proceeding as the case may
21 be, or imprisonment for a term which may extend to one month
22 or until payment if sooner made whichever is earlier

*Issuance of
warrant by
Tribunal*

23

24 Provided that no warrant shall be issued for the recovery of any
25 amount due under this section unless application is made to the
26 Tribunal to levy such amount within a period of three months
27 from the date on which it became due.

28

29 Proceeding may be taken against any children or relative in any
30 district-

31 - Where he resides or last resided

32 - Where children or relative resides

33 The tribunal shall have all the powers of a civil court for the
34 purpose of taking evidence on oath and of enforcing the
35 attendance of witnesses and of compelling the discovery and
36 production of documents and material objects and for such
37 other purposes as may be prescribed; and the Tribunal shall be
38 deemed to be a civil court for all the purposes.

39

40 If children or relatives, as the case may be neglect or refuse to
41 maintain a senior citizen being unable to maintain himself, the
42 Tribunal may on being satisfied of such neglect or refusal, order
43 such children or relatives to make a monthly allowance at such
44 monthly rate for the maintenance of such senior citizen as the
45 Tribunal may deem fit and to pay same to such senior citizen as
46 the Tribunal may from time to time direct.

47

48 The maximum maintenance allowance which may be ordered by
49 such Tribunal shall not exceed twenty thousand naira per
50 month.

51

52 A copy of the order of maintenance and including the order
53 regarding expenses of proceedings, as the case may be, shall be
54 given without payment of any fee to the senior citizen in whose
1 favour it is made and such order may be enforced by any Tribunal
2 in any place where the person against whom it is made.

3 Where an order is made under this chapter, the children or
4 relative who is required to pay any amount in terms of such order
5 shall within thirty days of the date of announcing the order by the
6 Tribunal, deposit the entire amount ordered in such manner as
7 the Tribunal may order.

8

9 **PART FIVE**

10 **VIOLATIONS AND PENALTIES: (SECTION 29)**

11

*Violations and
penalties*

12 It shall be an offence to wilfully or negligently deny any senior
13 citizen the privileges and or benefits contained in this Act. It
14 shall also be an offence for anybody or group concerned in the
15 administration of this Act not to bring the provisions of this Act
16 to the knowledge of the senior citizen concerned.

17

18 Anyone having the care or protection of senior citizen leaves
19 such senior citizen in any place with the intention of wholly
20 abandoning such senior citizen shall be punishable with
21 imprisonment of either a term of three months or a fine of at
22 least fifty thousand naira.

23

24 Offences under this Act shall be cognizable and bailable.

25

26 An offence under this Act shall be tried summarily by a
27 magistrate.

28

29 First-time violators of the law face imprisonment of six months
30 to two years, in addition to a fine ranging from N50,000 to
31 N100,000.

32

33 For subsequent violations, the fine can go up to N200,000, and
34 the prison term may extend to six years.

35 Anyone who abuses the privileges granted in this law shall pay a
36 fine of N5, 000 to N50,000, and shall be jailed for at least six
37 months

38

39 **RIGHT OF AN AGGRIEVED SENIOR CITIZEN: (SECTION 30)**

40

*Right of an
aggrieved
senior citizen*

41 It shall be the right/entitlement of every senior citizen to
42 institute legal proceedings for specific performance, damages
43 (compensation) or any other appropriate remedy where any of
44 the entitlements accruable to such senior citizen under this Act
45 has been breached by any person whosoever; and for the
46 purposes of such action the senior citizen shall be adequately
47 represented by legal officers of the ministry of justice;

48

49 Provided that where such matter is not being diligently
50 prosecuted by officers of the ministry of justice, it shall be the
51 further privilege of the senior citizen to apply to the local NBA in
52 the area for adequate and diligent prosecution of the suit.

1 Notwithstanding anything contained in this Act or any other
2 Legislation, it shall be the duty of every local NBA to provide

3 such required assistance for any aggrieved senior citizen.

4

5 **PART SIX**

6

7 **MISCELLANEOUS**

8 **IDENTIFICATION OF SENIOR CITIZENS: (SECTION 31)**

9

10 To avail themselves of benefits, senior citizens should
11 present their passport or other documents establishing their
12 citizenship and age.

13

14 **PART SEVEN**

15

16 **NON COMPULSION AGAINST SUBMISSION TO THE**
17 **ACT (SECTION 32)**

18

19 Nothing in this Act shall be construed as compelling any
20 senior citizen to submit to and or enjoy the provisions of this
21 Act for any reason whatsoever.

22 PROVIDED that this section shall not be construed as a
23 justification and/or reason not to bring the existence of such
24 benefits/entitlement/privilege to the senior citizen.

25 Every officer or staff appointed to exercise functions under
26 this Act shall be deemed to be a Public Servant within the
27 meaning of the Public Service Act.

28

29 **OUSTER OF JURISDICTION OF NORMAL CIVIL COURTS**
30 **(SECTION 33)**

31 No civil court shall have jurisdiction in respect of any matter
32 to which any provision of this Act applies and no injunction
33 shall be granted by any civil court in respect of anything
34 which is done or intended to be done by or under this Act.

35 If any difficulty arises in giving effect to the provisions of this
36 Act, the state government may by order published in the
37 official Gazette, make such provisions not inconsistent with
38 the provisions of this Act, as appear to it to be necessary or
39 expedient for removing the difficulty:

40 Provided that no such order shall be made after the expiry of
41 a period of five years from the date of the commencement of
42 this Act.

43 The central government may give directions to state
44 governments as to the carrying into execution the provisions
45 of this Act.

46 The state government may by notification in the official
47 gazette make rules for carrying out the purposes of this Act.

48

49 **REVIEW (SECTION 34)**

50 Retirement benefits of retirees from both the Government
51 and Private sectors shall be reviewed regularly every four

*Identification of
senior citizens*

*Non compulsion
against submission
to the act*

*Ouster of
jurisdiction of
normal civil courts*

Review

52 years to ensure their continuing responsiveness,
53 sustainability, and to the extent feasible and practicable
54 retirement benefits of private retirees shall be
55 upgraded to be at par with their government counterparts.