

# The Institutional Dilemmas and Rule-of-Law Pathways of Elderly Volunteer Services from the Perspective of Active Ageing

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## Abstract

China's ageing population is growing rapidly. Developing elderly volunteer services is now a critical path to support the active ageing strategy. Currently, elderly volunteer services face three main dilemmas. These challenges align with the three core pillars of active aging: health, participation, and security. Each aspect presents structural barriers that limit progress. The constraint manifests in following dimensions: inadequate health risk prevention mechanisms, limited participation channels and ineffective incentives, and insufficient funding coupled with weak institutional support. To effectively address these systemic dilemmas, a rule-of-law pathway must be relied on. Specialized legislations should be enacted to establish an institutional framework featuring government-led and multi-stakeholder collaboration. The key priorities involve strengthening comprehensive health risk prevention mechanisms, hierarchical and classified promotion institutions, and the security system of volunteer service. Institutional pathways are created through this process, transforming ageing-related pressures into drivers of social development.

## Keywords

Active Ageing, Elderly Voluntary Services, Social Participation, Security System

## 1. Introduction

China is undergoing accelerated progression toward a deep ageing society. According to the 2020 Seventh National Population Census, China's population aged 60 and above reached 264 million, accounting for 18.7% of the total population, while those aged 65 and above were 190 million, representing 13.5% of the popu-

lation (National Bureau of Statistics of China, 2021). The latest data from China's National Bureau of Statistics reveal that as of the end of 2024, the population aged 60 and above had increased to 310 million, accounting for 22% of the total population, while those aged 65 and above reached approximately 220 million, representing 15.6% of the population (National Bureau of Statistics of China, 2024). These statistics demonstrate the ongoing deepening of population ageing in China. The concept of active ageing was first formally introduced by the World Health Organization in its 2002 *Active Ageing: A Policy Framework*. Active ageing is the process of optimizing opportunities for health, participation, and security in order to enhance quality of life as people age (WHO, 2002). This concept is based on respect for older people's rights and focuses on three core pillars: health, participation, and security. It facilitates the transformation of seniors' roles from "passive welfare recipients" to "active rights exercisers". It motivates lifelong health management and sustainable social engagement, while establishing a multi-stakeholder collaborative system. Active ageing has evolved from an international consensus to a core component of China's national strategy. Its essence extends beyond safeguarding older people's basic living and health rights. It focuses more on fully facilitating their engagement in social development and realizing self-value, transforming ageing pressures into new drivers of social progress. Against this background, elderly volunteer services have served as a critical pathway for older people to participate in public affairs and strengthen social connections. It has also become the most dynamic vehicle for practicing active ageing.

China possesses a substantial population of healthy younger elderly people. With individuals aged 60 - 69 constituting 56.2% of the total elderly population in 2021 (Ministry of Civil Affairs of the People's Republic of China, 2024) and given the previously referenced baseline of approximately 310 million people aged 60 and above by the end of 2024, the current size of China's younger elderly people is conservatively estimated to have reached 170 million. This massive group of younger elderly people represents a vast potential of human resources. Transforming these vibrant human resources into social welfare resources constitutes the most sustainable internal driving force for the development of elderly volunteer services (Qian, 2015). The defining characteristics of volunteer service are voluntariness, altruism, and non-compensation. Specifically, elderly volunteer services refer to a form of social participation where older people voluntarily contribute their time, knowledge, and skills to precisely address diverse societal needs through unpaid services. China has prioritized the development of elderly volunteer services through its legislation and policies. The *Law on Protection of the Rights and Interests of the Elderly* (hereinafter referred to as the *Law*) explicitly encourages them to participate in volunteer services under Article 69, while the *Regulations on Volunteer Service* (hereinafter referred to as the *Regulations*) serve as the foundational legislation in this field. In 2021, two pivotal documents, the *Opinions of the CPC Central Committee and the State Council on Strengthening Ageing Work in the New Era* and the *14th Five-Year Plan for the Development of National Ageing*

*Undertakings and the Elderly Care Service System*, concurrently emphasized supporting older people's engagement in volunteer services. The 20th CPC National Congress report explicitly called for "improving the volunteer service institution and operational mechanism". The *Opinions on Improving the Volunteer Service System for the New Era* in 2024 further outlined the objective of establishing a comprehensive, scientifically standardized, and collaboratively efficient volunteer service institution and operational system by 2035. In 2025, the Ministry of Civil Affairs and 18 other departments jointly issued the *Guidelines on Supporting Social Participation of Older Adults to Promote Active Ageing* (hereinafter referred to as the *Guidelines*). It establishes a long-term development mechanism for elderly volunteer services in four key aspects: service mobilization, service content, model innovation, and security systems.

Despite strong policy support for "productive ageing" and increasing demands for elderly volunteer services, along with high participation willingness among younger seniors, these services still encounter systemic challenges in expansion, service quality, and long-term sustainability. From the active ageing perspective, current institutional frameworks have yet to formally establish elderly volunteers' legal status as active social entities. There is a lack of clear definition of their rights and obligations. There are also obvious shortcomings in terms of resource support, risk sharing, and incentive mechanisms. Therefore, from the perspective of active ageing and based on its three pillars, this study systematically analyzes the institutional dilemmas facing China's elderly volunteer services. It explores macro-level system construction and concrete solutions, aiming to develop an optimized framework grounded in a rule-of-law pathway, characterized by legally binding provisions, tailored to national conditions and practical needs, thus providing legally enforceable institutional safeguards for the high-quality development of elderly volunteer services.

## **2. Elderly Volunteer Services as a Practical Vehicle for Active Ageing**

The concept of active ageing focuses on health optimization, social participation, and rights protection. It aims to stimulate the potential of older populations, develop their human resources, enhance quality of life, and create social value. Under the policy transformation from a needs-based to a rights-based model in active ageing, elderly volunteer services have emerged as a significant practice. These services not only align with the three pillars of active ageing but also affirm the status of older people as rights holders. Furthermore, they help ensure the full enjoyment of rights during participation, free from unreasonable restrictions in terms of age, ability, or health status.

Participation in volunteer services is a vital pathway to promoting the health of older people. Within the active ageing framework, "health" means complete well-being in physical, mental, and social adaptation. This multidimensional health concept matches the comprehensive benefits from volunteer services. Older peo-

ple actively utilize their health rights through volunteering. Such participation helps maintain physical functions. It also improves mental states. It is also provided in the *Law*, which expressly stipulates that “older people can participate in health-promoting activities through elderly groups”. Older people hold independent rights. They can decide how to maintain functional ability in later life. Some may select passive support methods. These include medical treatments and aged care services. Such options focus on preserving physical functions. Others may prefer active participation. This involves social activities and volunteer work. These approaches improve both physical and mental health. Participating in volunteer work gives older adults beneficial physical activity. These activities are carefully matched to their abilities. This allows them to effectively improve their physical functions. As a result, their overall health condition gets better (Morrow-Howell, Hinterlong, Rozario, & Tang, 2003). After retiring from the workplace, older people gain new social roles by participating in volunteer services. The social recognition and respect they receive from helping others promote their life satisfaction and reduce depression risks. Volunteer services help older adults in three key ways. They create new social connections. They improve daily interactions. They build better adaptation skills. From a health perspective, this social integration matters. It offers a more effective way to promote health. It works better than passive approaches and the benefits last longer. This active approach boosts both body and mind. It also builds stronger social ties. The benefits work two ways. It helps people live longer and reduces family and societal care needs. Most importantly, it puts active ageing into practice, showing what health autonomy truly means.

Volunteer service constitutes a critical form of social participation for older people. The “active” of active ageing emphasizes sustained engagement in social, economic, cultural, spiritual, and civil affairs. Its essence is embodied in the “participation” pillar. Social participation is a key part of active ageing. It connects older people to their social environment. Volunteer services show this connection clearly. Through volunteer services, older people take active roles in society and prove they can still contribute meaningfully. This helps them feel valued and useful. Older people have the right to determine their participation in volunteer services based on personal needs, preferences, and capacities. Concurrently, the state and society shall provide equitable participation opportunities. They should also build older adults’ engagement skills. This requires three key supports: continuous education, practical training, and supportive policies (Liu, 2022). The *Law* grants older people the right to participate in and benefit from social development. The state must establish supportive conditions for elderly social participation. It should actively promote volunteer service involvement. The *Regulations* provide legal foundations in this field. These regulations clearly outline older people’s volunteer rights. They specify both protection mechanisms and promotion methods. Therefore, participation in volunteer services is a fundamental social right expressly guaranteed under China’s current legal framework. Legislation shall pro-

vide systematic support for older people's volunteer participation. This support should be complete and systematic. It must help them build skills during service. It should let them develop their potential. Most importantly, it must truly protect their right to participate. Within the active ageing framework, the "health" pillar constitutes the foundation of volunteer services, while the "security" pillar provides an institutional support network. Together, they enable meaningful participation. This combination allows older people to volunteer effectively. It ensures their involvement maintains quality and dignity.

Developing elderly volunteer services is essential to improve the social security system for older people. Within the active ageing framework, the "support" pillar is crucial for enabling older people's social participation. It requires establishing a diversified system. The system needs multiple stakeholders working together. Government must lead this effort. Society should collaborate actively. Communities require strong support structures. Families also play an essential role. The *Law* stipulates that the state shall protect the lawful rights and interests of the elderly, systematically establishing an institutional framework for protecting their rights and interests. It contains 85 articles, 23 of which make explicit reference to "protection". The provisions cover key areas including livelihood security, medical care, elderly care services, and social participation. These provide a solid legal foundation for the protection of the rights and interests of the elderly. The *Regulations* stipulate government measures on promoting elderly volunteer services through funding guarantees, procurement service, and recognition awards. It requires relevant organizations to provide venue access, ability, recruitment priority, and awareness campaigns. At the policy level, elderly volunteer services have been incorporated into China's national ageing development plan. The *Guidelines* provide concrete implementation measures to strengthen support systems for elderly volunteer services. It consists of organizational development, professional training, health assessments, material and safety guarantees, insurance products, and incentive mechanisms. This institutional support system creates a social safety net for older people. It does not treat seniors as a vulnerable group but rather removes participation barriers and provides systemic support. This approach enables them to fully realize their value through social engagement like volunteer services, while also driving continuous improvement of the support system itself.

### **3. The Institutional Dilemmas of Elderly Volunteer Services: A Three-Dimensional Analysis**

Elderly volunteer services embody the core values of active ageing in health, participation, and security. However, operational obstacles remain during implementation. The following analysis will systematically examine key challenges in the current practice of elderly volunteer services. Grounded in the *Regulations*, the analysis focuses on three key aspects: health foundations, participation mechanisms, and support systems.

### 3.1. Health Dimension: Absence of Comprehensive Health Risk Prevention Mechanisms

#### 3.1.1. Systemic Gaps in Health Risk Prevention for Elderly Volunteers

The active ageing framework highlights health as crucial. Social activities directly improve seniors' physical health. They also benefit mental well-being. Good health enables volunteer participation. It serves as a basic requirement. The *Regulations* clearly state in Article 15 that volunteer assignments must match participants' health conditions. Organizations cannot give volunteers tasks that are too demanding for their physical abilities. The provision sets health risk prevention requirements for volunteer eligibility but remains overly general in its wording. The *Regulations* currently lack critical health safety provisions. This gap creates real risks for elderly volunteers during service activities. Several specific problems emerge from this oversight. Health evaluation standards remain inconsistent across organizations. No unified assessment protocol exists for pre-service health checks. The legislation's vague "physical condition commensuration" clause permits varied interpretations. Different groups apply this requirement differently in practice. There are cases where excessive screening limits participation opportunities, as well as cases where screening omissions have led to emergencies during services. Volunteer services require varying health standards depending on their type and duration. Proper health assessment at the eligibility stage could effectively prevent risks. However, the current general provisions lack operational guidelines, undermining effective risk prevention during volunteer recruitment. Second, there is a regulatory gap in real-time health monitoring during service. There are no relevant mandatory requirements in current regulations. Most volunteer organizations neither equip real-time monitoring devices for elderly volunteers nor establish emergency plans for acute health incidents. Health accidents often occur when elderly volunteers exhibit abnormal health signs, due to inadequate monitoring and non-standard emergency procedures. Third, there are no mandatory requirements for supportive resource allocation during service. The current institution lacks specialized service standards and a material support system for elderly volunteer services. It is not a statutory obligation for volunteer organizations to provide health support resources. As older people's physical abilities decline, the lack of standards for service duration and intensity, and non-mandatory emergency equipment expose them to both cumulative strain injuries and accident risks.

#### 3.1.2. Potential Risks to the Health Rights of Volunteer Service Recipients

The health of volunteer service recipients is reflected in delayed physical decline and improved quality of life through services like daily care, medical assistance, and emotional support. Article 21 of the *Regulations* outlines key rights for service recipients. These include protections for personal dignity and privacy. The article also prohibits charging any fees. However, it significantly omits health-related rights. This absence creates a critical gap in safeguards. This legislative gap leaves the "health" pillar without institutional support. In practice, the lack of clear

guidelines for health risk prevention during service exposes recipients to unpredictable health threats. The current system lacks essential screening measures. No health evaluations are required for volunteers. Similarly, recipients face no functional assessments. These omissions occur at the eligibility stage. Consequently, it is impossible to determine appropriately differentiated services. The absence of proper screening creates dangerous mismatches. High-risk recipients may receive unsuitable services. This poses immediate health dangers. The one-size-fits-all approach fails participants. Imprecise matching increases avoidable risks. A particularly prominent issue is the lack of professional capacity during service delivery. Most volunteers lack essential medical training. Few possess basic first-aid skills. Current training programs show another weakness. They do not adjust instruction by risk levels. Clear standards remain absent for medical services. This significantly increases the risk of volunteers causing secondary harm to recipients due to improper practices.

### **3.2. Participation Dimension: Systemic Participation Barriers as Substantial Engagement Obstacles**

The *Law* establishes an institutional framework for elderly volunteer services, while it lacks detailed implementation rules. Most provisions in the chapter “Promotion Measures” of the *Regulations* also lack enforceability. The current framework relies too heavily on non-binding language. Terms like “encourage venue provision” and “promote priority hiring” remain vague suggestions. These phrases create no real obligations nor concrete support mechanisms. Beyond weak legislation, systemic barriers persist. These obstacles actively block elderly participation. They prevent seniors from exercising their social engagement rights.

Inaccessible service information narrows participation channels. The current recruitment methods create digital barriers. Most groups use WeChat and online platforms. These tools require smartphone skills. Many older adults lack this technical ability. This excludes many willing but technologically inexperienced seniors from participation. Some grassroots communities share volunteer service information offline. They use methods like bulletin boards and community broadcasts. However, some elderly residents still struggle to get this information quickly. Community volunteer programs mostly involve seniors who already take part in community activities. This leaves out those who rarely or never participate. Article 12 of the *Regulations* provides that volunteer organizations must disclose service details and potential risks when recruiting volunteers. However, it fails to specify requirements for information dissemination methods. It also does not mandate age-friendly communication standards tailored for older adults. This oversight prevents some older people from participating in volunteer services due to information accessibility barriers.

Limited options for service fail to meet diverse needs. Elderly volunteer services in China focus mainly on basic areas. These include neighborhood mutual aid and legal awareness. Participation is much lower in specialized fields. Examples are

disability assistance and educational support. On the surface, professional volunteer services target younger people. This creates an age mismatch for seniors. At a deeper level, however, current services do not match older volunteers' skills. They fail to use seniors' strengths effectively. Seniors who want to volunteer but lack skills receive no training help. Those with professional skills will not do basic services due to access problems. This supply-demand misalignment severely limits the scope and depth of seniors' participation, resulting in engagement predominantly relying on external incentives rather than sustained internal drive (Xiong & Chen, 2024).

Inadequate incentives undermine long-term participation willingness. Older volunteers prioritize a sense of meaning and value realization over short-term honorary incentives. A good reward system gives volunteers proper recognition. It also helps volunteer services grow long-term. Article 32 of the *Regulations* merely grants administrative authority broad discretion to "commend and reward". It sets no specific implementation procedures, quantifiable criteria, or corresponding legal liabilities. This creates inconsistent enforcement, which often fails to motivate effectively. Moreover, incentive measures link volunteering to government job applications. But these do not help seniors since they are retired. In practice, elderly volunteers are primarily incentivized through material means like modest cash allowances and essential goods. Some regions have piloted a service credit exchange system for volunteers. They earn points by volunteering hours. Points can be redeemed for benefits such as domestic services or elder care priority. However, these initiatives commonly suffer from issues such as inadequate subsidy levels, opaque point redemption rules, and cross-regional usage restrictions. A reliance on low-value material incentives, combined with a lack of spiritual recognition, is of limited effectiveness. It fails to meet seniors' deeper needs.

### **3.3. Security Dimension: Institutional Safeguard Deficiencies and Volunteer Service Support System Failure**

The current institutional safeguards for elderly volunteer services face structural dilemmas. Insufficient funding directly impedes the implementation of volunteer insurance systems. Poor insurance coverage leaves elderly volunteers' rights at risk without proper recourse. The absence of liability determination rules further undermines the protection of rights for all parties involved in volunteer services. These interlocking challenges significantly constrain the practical efficacy of the safeguard mechanisms.

Funding for organizations is unevenly distributed. Elderly volunteer services in China feature government-led financing with diversified supplementary methods. Government fiscal investment serves as the primary funding source, supporting elderly volunteer services through central lottery public welfare funds, local fiscal subsidies, and government-procured services. However, such investments exhibit regional disparities and are predominantly allocated through ad hoc funding,

lacking long-term stable budgetary arrangements. As a critical supplementary channel, social donations encompass contributions from corporations, individuals, and charitable organizations. However, such funding is significantly affected by regional economic disparities, making fundraising particularly challenging in underdeveloped areas. Meanwhile, the ineffective implementation of donation incentive policies such as tax benefits has further hindered active engagement in donating. Although some volunteer organizations raise funds through cultural performances, a lack of professional fundraising teams and market-oriented experience can undermine stable revenue generation. Currently, although a diversified funding system for elderly volunteer services has been preliminarily established, it still faces issues such as excessive reliance on the government, insufficient funding from other sources, and poor sustainability, resulting in volunteer organizations generally facing a shortage of funds.

Volunteer insurance coverage remains inadequate. Current legislation predominantly contains only general provisions regarding volunteer insurance systems, lacking enforceable implementation clauses. Article 17 of the *Regulations* makes it clear that volunteer organizations shall purchase personal accident insurance for volunteers participating in volunteer activities that may entail personal risks, which remains legally ambiguous. First, the risk level classification is unclear. Significant discrepancies exist across regions in defining “personal risks”. The question of whether the term should be strictly limited to high-risk activities like disaster relief or extended to cover general risks in routine services remains unresolved. It ultimately results in inconsistent enforcement standards. Second, insurance coverage is unclear. When elderly volunteers are involved in accidents due to chronic illnesses during low-risk activities, organizers often fail to purchase insurance in advance. They then refuse to accept responsibility, claiming that the accident was not a direct result of the activity. This makes it difficult for volunteers to defend their rights. In practice, volunteer insurance primarily covers personal accidents, with a lack of specific coverage for property damage and third-party liability risks. The scope of insured persons is mostly limited to registered volunteers and usually excludes elderly people over the age of 70 (Wu, 2024). The key issue is the lack of financial support for volunteer insurance. Local governments generally do not allocate a specific proportion of their fiscal budgets to insurance expenditure, and the funding sources of volunteer service organizations are also unstable. This directly affects the operation of the insurance system.

Rules for determining responsibility are absent. The *Regulations* contain legislative gaps regarding the determination of responsibility in volunteer services. There are differences of opinion among academics, and the standards used by courts at various levels are not uniform. This results in long-term ambiguity regarding the legal relationships and responsibilities of the parties involved in volunteer services. This mainly involves three scenarios. First, there is the issue of liability of elderly volunteers for damages caused to service recipients or third parties due to negligence in the course of service. Some argue that volunteer activities

should be considered official duties, meaning that volunteer service organizations should be held vicariously liable. Once they have accepted liability, organizations may seek compensation from volunteers who acted with intent or gross negligence (Tian, 2015). However, some scholars argue that the liability of volunteer service organizations depends on their organizational type. Functional organizations have an employment relationship with volunteers and are subject to employer liability. Social organizations are based on an organizational relationship with volunteers and are liable for damages resulting from violations of their safety obligations (Kong, 2012). Second, the issue of liability arises when elderly volunteers are harmed by service recipients or third parties while providing services. While volunteers may seek compensation from the perpetrator under the Civil Code, there is still controversy over whether volunteer service organizations or service recipients should take responsibility and the scope of such responsibility. Third, there is the issue of liability for damage suffered by elderly volunteers in the course of their service that is not caused by a third party. If the damage is caused by health reasons, such as fatigue-induced illness, the following issues have not yet reached a consensus in judicial practice: whether the volunteer service organization has violated its duty of care; how the duty of care between the two parties should be defined; and whether the organization can be exempted from liability on the grounds of prior health screening or the “assumption of risk” by elderly volunteers. All parties involved in volunteer services, including volunteers, volunteer organizations, and recipients, face liability risks that urgently need to be addressed through systematic institutional improvements.

#### **4. Breaking the Institutional Dilemmas: Legal Optimization Pathways for Elderly Volunteer Services**

##### **4.1. Strengthening the Top-Level Legislative Framework for Senior Volunteering Initiatives**

Elderly volunteer services are an important component of China’s volunteer service system. The State has issued several policy documents to promote the development of senior volunteer services, providing clear guidance on how to implement them. To ensure the long-term sustainable development of elderly volunteer services and to effectively protect the rights and interests of senior volunteers, it is necessary to accelerate the improvement of the legal system for volunteer services and promote the conversion of policy requirements into enforceable institutional norms.

Experience in developing international volunteer services shows that legislation plays a fundamental role in promoting their development (Wei, 2013). The United States has established a well-structured legislative and policy framework for its elderly volunteer service system. Key federal laws such as the *Older Americans Act*, the *Domestic Volunteer Service Act*, and the *Edward M. Kennedy Serve America Act* provide robust institutional safeguards. Similarly, Japan has enacted foundational legislation including the *Basic Act on Measures for the Ageing Society*

and the *Basic Policy on Measures for the Aging Society* to protect the rights of senior volunteers. The government further supports non-profit organizations (NPOs) delivering elderly volunteer services through financial subsidies and tax incentives, while pioneering the “time bank” mutual support model for ageing populations. In Germany, the *Federal Volunteer Service Act* enacted in 2011 formally defines volunteer qualifications, rights, and obligations. It explicitly grants volunteers participatory management rights and mandates comprehensive insurance coverage for participants. China has established a preliminary framework for the volunteer service system centered on the *Regulations*. While multiple levels of regulations coexist, there is still room for improvement in terms of systematization and legal effectiveness. The current system has the following main problems. First, the hierarchy of legislation is too low. There is no specific legislation on volunteer service, and the existing regulations are merely administrative, making it difficult to establish substantive rights and obligations. Most of the provisions do not reflect the special protection needs of elderly volunteers. Second, the supply of rules is imbalanced. There are few higher-level norms within the system, resulting in excessive reliance on policy guidance and documents. Local legislation on volunteer services is highly standardized, with most provisions simply replicating those of the *Regulations*. This means that local needs and regional governance differences are not reflected. Third, the rights and obligations provisions are vague. These provisions are mostly declaratory in nature. Although the word “shall” is generally used to clearly define the content of the rights and obligations, specific implementation rules are not provided and legal responsibility for violating the obligations is not stipulated, making it difficult to effectively implement the provisions. The current legal framework for volunteer services is unable to meet the needs of exploring the human resources of the elderly against the backdrop of population ageing. Efforts should be accelerated to formulate the *Volunteer Service Law* to provide systematic legal protection for volunteer services. A specialized regulatory framework for elderly volunteer services should also be established to provide institutional support for the development of such services.

The *Volunteer Service Law* should be based on the concept of active ageing, establishing a legislative position that emphasizes both promotion and protection. As a promotional law, it should recognize the government’s leading role in coordinating the development of elderly volunteer services. It should focus on developing projects in which the elderly can participate, building intergenerational volunteering platforms, and improving management systems. A culture of volunteer service in which everyone participates should also be cultivated. As a safeguard law, it is necessary to establish a rights protection system centered on volunteers. The rights and obligations of all parties involved in volunteer services must be clarified, and special arrangements must be made in terms of duration, intensity, and protection of service, based on the characteristics of the elderly population. A scientific incentive and protection system should also be established. This legislative design safeguards the social participation rights of the elderly while promoting an age-friendly social development pattern and the coordinated development

of active ageing and volunteering initiatives.

#### **4.2. Establishing a Collaborative Development Mechanism with Government Leadership and Multi-Stakeholder Participation**

Volunteer service is an important means of promoting social governance and meeting the needs of the country and society. The government should play a leading role in developing volunteer services (Xu, 2019). The US senior volunteer service system adopts a government-led model, with the federal government responsible for coordinating the design, operation, and management of national programs. The government provides financial support to encourage social organizations and enterprises to carry out service projects, significantly increasing the enthusiasm of all parties to participate in senior volunteer services. With the combined efforts of government investment and a tradition of volunteerism, foundation and individual donations have further enriched funding sources (Xie & Chen, 2021), forming a sustainable development mechanism led by the government, coordinated by society, and funded by multiple sources. Currently, the Central Committee on Social Work is responsible for coordinating and supervising China's volunteer service work. It is primarily tasked with formulating national volunteer service policies, coordinating interdepartmental resources, and overseeing the development of local volunteer service systems. The most prominent national elderly volunteer service project is the "Silver Age Action" initiative, launched in 2003 by the National Committee on Ageing and still ongoing today. Its focus is organizing retired experts to travel to underdeveloped regions in Central and Western China, where they can provide intellectual support and assistance. Various provinces and municipalities have launched regional and cross-regional elderly volunteer services. However, most local projects rely on temporary fiscal appropriation and are not included in the annual budget, which results in poor sustainability of projects. Given limited government investment and the nature of participants in elderly volunteer services, it is difficult for projects to obtain social capital support. Companies are reluctant to provide funding due to the difficulty of quantifying returns on investment, and individual donation channels remain underdeveloped. Severe funding shortages significantly restrict the expansion and improvement of elderly volunteer services.

In advancing the legislation of the *Volunteer Service Law*, we should focus on the actual development needs of elderly volunteer services in China. We should also appropriately draw on beneficial international experience and establish a government-led development mechanism involving multiple stakeholders. First, the construction of the elderly volunteer service system should be incorporated into the legal framework. Next, require governments at all levels to formulate special development plans for elderly volunteer services. This should involve establishing a network covering urban and rural areas, with a particular focus on addressing the shortage of services in rural and underdeveloped areas and ensuring the fair distribution of resources. Second, clarify the specific requirements for a long-term

operational support system. Legislate to regulate project design, implementation standards, supervision, and evaluation to prevent short-term operations. Third, improve the diversified funding security system. Clarify the proportion of fiscal investment, social donation incentive policies, and rules for the use of service revenues in legislation. The aim is to form a long-term funding security system led by the government, with market participation and social support. Fourth, elevate the construction of volunteer culture to a legislative level. Encourage the integration of traditional culture to innovate service formats, focusing on cultivating volunteer service practices with Chinese characteristics, such as intergenerational mutual assistance.

### **4.3. Establishing Health Risk Prevention and Participation Promotion Mechanisms**

From the perspective of active aging, “health” and “participation” are closely linked and mutually empowering. Health is the foundation for elderly volunteers to participate, and moderate volunteer service practices can promote physical and mental health, while improved health will further stimulate broader and deeper social participation. To strengthen this positive interaction, it is necessary to simultaneously establish a health risk prevention mechanism that covers the entire service process to ensure the safety of elderly participants. At the same time, a tiered and categorized participation promotion mechanism should be improved. It helps to release the social value of the elderly population.

Establish a comprehensive health risk prevention mechanism. The future *Volunteer Service Law*, as the basic legislation governing volunteer services, should stipulate the following issues. First, volunteer service organizations must clearly define their duty of care. This duty covers participants’ health status. It is a core part of their legal obligations. Second, a tiered health assessment system should be established. This assessment separates services based on risk levels. Third, financial security for health risks must be a key principle. Governments at all levels should include necessary funds in their budgets. These basic provisions should be binding. At the same time, supporting provisions should improve operational standards. These provisions must create nationwide health assessment rules. The rules should specify required physical exam items and health indicators. They should also set clear eligibility criteria for different risk-level services. Provisions should also be made for health monitoring requirements and resource support during the service process. Health assessment standards should also cover service recipients. Special attention must target vulnerable groups with complex needs, including multimorbid seniors living alone, severely cognitively impaired individuals requiring continuous supervision, and marginalized populations experiencing layered vulnerabilities like socially isolated early-stage Parkinson’s patients. Specific requirements for improving the professional training system for volunteers should be established, including training duration and assessment standards.

Improve the participation promotion mechanism of elderly volunteer services.

The focus is on exploiting digital technology to improve participation channels. Digital tools can better connect service providers with recipients and optimize supply-demand matching. First, establish a digital skills training system and expand participation channels. Legislate to establish a digital skills training system for older adults. It should cover both urban and rural areas. Institutions such as community education centers and senior universities can be incorporated into the training network. Volunteer organizations must improve their information delivery systems. They should combine traditional and digital methods for maximum reach. Traditional methods remain important. These include community bulletin boards, TV and radio announcements, and phone call notifications. This will ensure that older adults with varying levels of digital literacy can access volunteer service information equally. Second, establish an intelligent information platform for elderly volunteer services. Legislation should stipulate the establishment of a unified national database of elderly volunteers. It helps to accurately profile volunteers based on their professional background, service preferences, and physical condition. This would enable government departments, enterprises, and social organizations to jointly develop an intelligent platform for matching supply and demand, thereby achieving intelligent matching between service positions and the specialties of volunteers. Third, establish an incentive mechanism that combines spiritual motivation and material security. Material incentives should function as supplementary recognition rather than primary motivation, ensuring compatibility with volunteering's altruistic core. Structurally implemented non-monetary rewards, such as skill certifications and social impact metrics, effectively maintain ethical alignment while mitigating practical participation barriers. Establish a unified national volunteer service point management system and refine the rules for earning, accumulating, and redeeming points. Focus on supporting the cross-regional redemption of points for benefits such as elderly care services and health management. In terms of implementation, regions with a strong digital foundation and a high proportion of elderly residents could be selected for pilot programs to test the effectiveness of the digital training system, the practicality of the supply and demand matching platform, and the sustainability of the points-based incentive mechanism. These programs can be gradually rolled out nationwide once they have matured.

#### **4.4. Optimizing the Systematic Support System for Elderly Volunteer Services**

A sound funding system plays a fundamental supporting role. Legislation should clearly stipulate that funding for volunteer services for the elderly be included in the fiscal budgets of governments at all levels. Special funds should be established to cover basic and necessary expenditures such as health assessments, equipment support, risk compensation, and incentive measures. Social forces should be mobilized to participate through measures such as establishing a special fund for elderly volunteer services and opening channels for charitable donations. The focus

should be on improving the donation incentive mechanism and implementing tax reductions and policy support for corporate donations. In addition, a credit scoring system for individual donations should be established and incorporated into the social credit system. Enterprises should be encouraged to develop distinctive elderly volunteer service projects based on their business strengths. The government can provide support through means such as purchasing services. An assessment system for the use of elderly volunteer service funds should also be established, and a project-based management model should be implemented. To ensure the effective use of funds, key volunteer service demonstration projects should be subject to full-process budget performance management.

The volunteer insurance system provides risk protection for elderly volunteers. The *Volunteer Service Law* should clearly provide that volunteer service organizations must purchase adequate insurance for elderly volunteers, covering all types of personal injury and property damage that may occur during service. The cost of insurance should be included in the funding system and supported by special funds for volunteer services. Legislation should clearly define the insured parties, types of insurance, coverage, funding arrangements, and coordination mechanisms between different types of insurances (Tian, 2014). It should also improve the institutional framework supporting volunteer insurance, providing detailed implementation guidelines and safeguards. Age restrictions on accident and health insurance for elderly volunteers should be relaxed. Specialized insurance policies, including accident insurance, should be provided to elderly volunteers participating in high-risk services. In terms of insurance compensation mechanisms, the principle of commercial insurance priority compensation should be followed. This means that, following an insurance incident, commercial insurance should provide the initial compensation, with social insurance providing any additional cover.

The core component of the support system for safeguarding the rights and interests of elderly volunteers is the protection of volunteer service liability. Legislation needs to define the legal relationship between volunteers, volunteer service organizations, and recipients of volunteer services, particularly the rights and obligations of volunteers and organizations, to provide a basis for resolving various types of disputes relating to damage that may arise in practice. There are some issues regarding the determination of responsibility in current elderly volunteer services. These include the responsibility of elderly volunteers who suffer harm from service recipients or other third parties while providing services; the responsibility of elderly volunteers who cause harm to service recipients or other third parties; and the responsibility of elderly volunteers who suffer harm due to their own health conditions. All these issues require a clear understanding of the relationship between volunteers and volunteer service organizations. To ensure that elderly volunteers are adequately compensated for any harm they may suffer, while avoiding placing an excessive burden of responsibility on volunteer service organizations and considering the objective risks involved in volunteer activities, the legal relationship between the parties must be determined based on the character-

istics of volunteer service practices in China. Factors such as the type of volunteer, the nature of the service organization, and the way the volunteer service is carried out should be considered. This should then be used to determine the appropriate method of liability allocation. Precisely, for volunteers registered with government-affiliated service organizations such as the China Youth Volunteers Association (CYVA) who engage in sustained long-term participation, an employment relationship is deemed to exist with the organization. Consequently, the organization bears vicarious liability for damages inflicted by the volunteer upon third parties during service activities. Where elderly volunteers suffer harm from third-party tortfeasors during service provision, the organization is obligated to aid in pursuing legal recourse against the liable party. For grassroots NGOs, however, recognition of an employment relationship is generally unwarranted. The association instead constitutes an activity-organizing relationship, wherein these entities incur liability for injuries sustained by elderly volunteers only to the extent of their negligent breach of the duty of care—a limitation essential to preventing undue operational burdens.

## 5. Conclusion

Research on the development dilemmas and breakthrough pathways of elderly volunteer services essentially explores the institutional pathways for implementing the active ageing strategy. This paper analyses the issue from three perspectives: health, participation, and security. It reveals that the structural challenges currently faced by elderly volunteer services primarily manifest as a conflict between fragmented policies and inadequate rule-of-law guarantees. The study proposes the establishment of a legal framework centered on the *Volunteer Service Law*, focusing on the promotion and safeguarding of volunteer services through legislation. The aim of this framework is to shift government responsibility from management to empowerment, with the protection of volunteer rights at the core of institutional design. The study seeks to rebalance the relationship between “safe participation” and “value creation” by establishing a comprehensive health risk prevention mechanism, a tiered and categorized participation promotion system, and a systematic support framework. The institutional framework seeks to empower the elderly, transforming them from care recipients into participants in social governance and turning the pressure of an ageing population into a driving force for social development. Ultimately, the study seeks to achieve the organic integration of state power, social capital, and individual value within a legal framework. While future research may explore how digital technology could further innovate models of elderly volunteer service, the core remains the construction of an institutional ecosystem characterized by clear rights, controllable risks, and effective incentives.

## Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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