Prepared by the Committees on Social Justice, Welfare and Rural Development; Local Government; and Finance, with Senators Pangilinan, Legarda, Gordon, Villar, Trillanes IV, and Cayetano P., as authors thereof

AN ACT
ESTABLISHING AN INSTITUTIONAL MECHANISM TO ENSURE THE IMPLEMENTATION OF PROGRAMS AND SERVICES FOR PERSONS WITH DISABILITIES IN EVERY PROVINCE, CITY AND MUNICIPALITY, AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS", AS AMENDED, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Section 40 of Republic Act No. 7277, as amended, is hereby further amended to read as follows:

"Section 40. Role of National Agencies and Local Government Units –

(A) Local government units shall promote the establishment of organizations of [disabled persons] PERSONS WITH DISABILITIES (PWDs) in their respective territorial jurisdictions. National agencies and local government units may enter into joint ventures with organizations or associations of [disabled persons] PWDs to explore livelihood opportunities and other undertakings that shall enhance the health, physical fitness and the economic and social well-being of [disabled persons] PWDs.

(B) LOCAL GOVERNMENT UNITS SHALL ORGANIZE AND ESTABLISH THE FOLLOWING:

(1) PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO)
A PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) SHALL BE CREATED IN EVERY PROVINCE, CITY AND MUNICIPALITY. THE LOCAL CHIEF EXECUTIVE SHALL APPOINT A PWD AFFAIRS OFFICER WHO SHALL MANAGE AND OVERSEE THE OPERATIONS OF THE OFFICE, PURSUANT TO ITS MANDATE UNDER THIS ACT. PRIORITY SHALL BE GIVEN TO QUALIFIED PWDS TO HEAD AND MAN THE SAID OFFICE IN CARRYING OUT THE FOLLOWING FUNCTIONS:

(a) FORMULATE AND IMPLEMENT POLICIES, PLANS AND PROGRAMS FOR THE PROMOTION OF THE WELFARE OF PWDS IN COORDINATION WITH CONCERNED NATIONAL AND LOCAL GOVERNMENT AGENCIES;

(b) COORDINATE THE IMPLEMENTATION OF THE PROVISIONS OF THIS ACT, BATAS PAMBANSA BLG. 344, OTHERWISE KNOWN AS THE ACCESSIBILITY LAW, AND OTHER RELEVANT LAWS AT THE LOCAL LEVEL;

(c) REPRESENT PWDS IN MEETINGS OF LOCAL DEVELOPMENT COUNCILS AND OTHER SPECIAL BODIES;

(d) RECOMMEND AND ENJOIN THE PARTICIPATION OF NGOS AND POS IN THE IMPLEMENTATION OF ALL DISABILITY-RELATED LAWS AND POLICIES;

(e) GATHER AND COMPILE RELEVANT DATA ON PWDS IN THEIR LOCALITIES;

(f) DISSEMINATE INFORMATION INCLUDING, BUT NOT LIMITED TO, PROGRAMS AND ACTIVITIES FOR PWDS,
STATISTICS ON PWDS, INCLUDING CHILDREN WITH
DISABILITY, AND TRAINING AND EMPLOYMENT
OPPORTUNITIES FOR PWDS;

(g) SUBMIT REPORTS TO THE OFFICE OF THE LOCAL CHIEF
EXECUTIVE ON THE IMPLEMENTATION OF PROGRAMS
AND SERVICES FOR THE PROMOTION OF THE WELFARE
OF PWDS IN THEIR RESPECTIVE AREAS OF
JURISDICTION;

(h) ENSURE THAT THE POLICIES, PLANS AND PROGRAMS
FOR THE PROMOTION OF THE WELFARE OF PWDS ARE
FUNDED BY BOTH THE NATIONAL AND LOCAL
GOVERNMENT;

(i) MONITOR FUNDRAISING ACTIVITIES BEING CONDUCTED
FOR THE BENEFIT OF PWDS; AND

(j) SEEK DONATIONS IN CASH OR IN KIND FROM LOCAL OR
FOREIGN DONORS TO IMPLEMENT AN APPROVED
WORKPLAN FOR PWDS, IN ACCORDANCE WITH
EXISTING LAWS AND REGULATIONS.

(k) PERFORM SUCH OTHER FUNCTIONS AS MAY BE
NECESSARY FOR THE PROMOTION AND PROTECTION
OF THE WELFARE OF THE PWDS.

(2) FOCAL PERSON

IN CONSIDERATION OF BUDGET RESTRAINTS, LOCAL CHIEF
EXECUTIVES OF FOURTH, FIFTH AND SIXTH CLASS
MUNICIPALITIES, MAY, IN LIEU OF THE CREATION OF A PDAO,
DESIGNATE A FOCAL PERSON, WHO SHALL PERFORM THE
FUNCTIONS OF THE PDAO. PRIORITY IN APPOINTMENT SHOULD BE GIVEN TO A PWD WITH EXPERIENCE IN PROVIDING SERVICES TO PWDS.

THE ESTABLISHMENT OF A PDAO OR THE APPOINTMENT OF A FOCAL PERSON, AS THE CASE MAY BE, SHOULD BE DONE IN CONSULTATION AND COORDINATION WITH THE NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA), NON-GOVERNMENT ORGANIZATIONS (NGOS) AND PEOPLE'S ORGANIZATIONS (POS).

Sec. 2. References to the term "Disabled Persons" on the Title and other sections of the same Act are hereby amended to read as "Persons with Disabilities (PWDs)."

Sec. 3. Within three years after the effectivity of this Act, appropriate agencies, headed by the DSWD, in consultation with the NCDA and relevant NGOs and POs, shall review its implementation and recommend to Congress the need to mandate the establishment of a PDAO in 4th, 5th and 6th class municipalities.

Sec. 4. "In order to effectively carry out the objectives of RA 7277, the National Government, through the DSWD, shall ensure that the annual budget includes provisions to fund programs and provide support for PWDs.

Local government units shall likewise ensure that the necessary fund from any available local revenues is allocated for the implementation of this Act for the benefit of PWDs in their jurisdictions."

Sec. 5. Repealing Clause. — All laws, presidential decrees, executive orders, and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 6. Separability Clause. — If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.
Sec. 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation or the Official Gazette, whichever comes first.

Approved,