



HOUSE OF REPRESENTATIVES

H. No. 9106

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BY REPRESENTATIVES TREÑAS, SUANSING (E.), VARGAS, VIOLAGO, SY-ALVARADO, LAOGAN, AGLIPAY-VILLAR, VELASCO-CATERA, SAVELLANO, GULLAS, COLLANTES, MATUGAS, MARQUEZ, LAZATIN, CASTRO (F.H.), NOGRALES (J.J.), SIAO, MARTINEZ, VELOSO, ALONTE, VILLARIN, PIMENTEL, BAUTISTA-BANDIGAN, DIMAPORO (M.K.), AGGABAO, VILLAFUERTE, ACOSTA, ARCILLAS, MANGAOANG, MACEDA, MANGUDADATU (S.), GASATAYA, PANOTES, ZUBIRI, CANAMA, EUSEBIO, VERGARA, UNGAB, CHAVEZ, NAVA, BERTIZ, YAP (M.), BRAVO (M.V.), SALO, MENDING, BELMONTE (R.), REVILLA, PALMA, MARINO, PAPANDAYAN, MONTORO, ORTEGA (P.), BOLILIA, NIETO, PINEDA, YU, LACSON, HERRERA-DY, SALON, MADRONA, CUARESMA, TEVES, BILLONES, ORTEGA (V.N.), ROCAMORA, ROMERO, MALAPITAN, GONZALES (A.D.), PANCHO, GARCIA (J.E.), SILVERIO, LOPEZ (M.L.), BELARO, DEL ROSARIO, SARMIENTO (E.M.), ANGARA-CASTILLO, DE VERA, GONZAGA, TAMBUNTING, ROBES, YAP (A.), ABUEG, ERIGUEL, CASTRO (F.L.), AQUINO-MAGSAYSAY, BORDADO, TINIO, NOGRALES (K.A.), QUIMBO, DEFENSOR, SALCEDA, LANETE, DEL MAR, SAMBAR, ALMONTE, CALIXTO-RUBIANO, CAMINERO, TEJADA, BATAOIL, MENDOZA, GARBIN, ESCUDERO, ARENAS, BRAVO (A.), ATIENZA, ROA-PUNO, ROMUALDO, ABAYON, SUANSING (H.), AKBAR, CAMPOS, CHIPECO, HOFER, NOEL, GONZALES (A.P.), GARIN (R.), FORTUN, ALEJANO, GO (M.), CARI, FERNANDO, NUÑEZ-MALANYAON, TUPAS, DALIPE, CALDERON, MARCOLETA AND VERGARA, PER COMMITTEE REPORT NO. 1264

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AN ACT GRANTING ADDITIONAL PRIVILEGES TO PERSONS WITH DISABILITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH DISABILITIES, AND APPROPRIATING FUNDS THEREFOR

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

1           **SECTION 1.** Section 4 of Chapter 1, Title One of Republic Act No. 7277, as amended,  
2 otherwise known as the "Magna Carta for Persons with Disabilities," is hereby further amended  
3 by inserting new subsections to read as follows:

4           "SEC. 4. Definition of Terms – [For purposes of] AS USED IN this Act: [these terms are  
5 defined as follows:

6           X   X   X

7           (Q) *ASSISTIVE DEVICES AND TECHNOLOGIES* REFER TO WHEELCHAIRS AND  
8 WALKERS, PROSTHESES, HEARING AIDS, AIDS FOR THE VISUALLY IMPAIRED,  
9 AND SPECIALIZED COMPUTER SOFTWARE, HARDWARE AND PERIPHERALS THAT  
10 INCREASE MOBILITY, HEARING, VISION, OR COMMUNICATION CAPACITIES,  
11 AMONG OTHERS. THEIR PRIMARY PURPOSE IS TO MAINTAIN OR IMPROVE AN  
12 INDIVIDUAL'S FUNCTIONING AND INDEPENDENCE TO FACILITATE  
13 PARTICIPATION AND TO ENHANCE OVERALL WELL-BEING BY HELPING PREVENT  
14 IMPAIRMENTS AND SECONDARY HEALTH CONDITIONS; AND

15           (R) *ASSISTIVE TECHNOLOGY SERVICE* REFERS TO ANY SERVICE THAT  
16 DIRECTLY ASSISTS A PERSON WITH DISABILITY IN THE SELECTION,  
17 ACQUISITION, OR USE OF AN ASSISTIVE DEVICE AND TECHNOLOGY."

18           **SEC. 2.** Section 5 of Chapter 1, Title Two of Republic Act No. 7277, as amended, is  
19 hereby further amended to read as follows:

20           "SEC. 5. *Equal Opportunity for Employment.* - No [disabled] person WITH  
21 DISABILITY shall be denied access to opportunities for suitable employment. A qualified  
22 [disabled] employee WITH DISABILITY shall be subject to the same terms and conditions of  
23 employment and the same compensation, privileges, benefits, fringe benefits, incentives or  
24 allowances as a qualified able-bodied person.

25  
26           [Five] AT LEAST TWO percent (2%) [5%] of all [casual, emergency and contractual  
27 positions in the Departments of Social Welfare and Development; Health; Education; Culture  
28 and Sports; and other government agencies, offices or corporations engaged in social  
29 development shall be reserved for disabled persons.] POSITIONS IN ALL GOVERNMENT  
30 AGENCIES, OFFICES OR CORPORATIONS SHALL BE FILLED UP WITH QUALIFIED  
31 PERSONS WITH DISABILITIES: *PROVIDED*, THAT PRIVATE CORPORATIONS ARE  
32 MANDATED TO RESERVE AT LEAST ONE PERCENT (1%) OF ALL POSITIONS FOR  
33 PERSONS WITH DISABILITIES: *PROVIDED FURTHER*, THAT THOSE PRIVATE  
34 CORPORATIONS WITH MORE THAN ONE THOUSAND (1,000) EMPLOYEES SHALL  
35 RESERVE AT LEAST TWO PERCENT (2%) OF ALL POSITIONS FOR PERSONS WITH  
36 DISABILITIES."

37  
38           **SEC. 3.** Section 8 (a) and (b) of Chapter 1, Title Two of Republic Act No. 7277, as  
39 amended, is hereby further amended to read as follows:

40           "SEC. 8. *Incentives for Employers.* - (a) To encourage the active participation of the  
41 private sector in promoting the [welfare] RIGHTS of [disabled] persons WITH DISABILITIES  
42 and to ensure gainful employment for qualified [disabled] persons WITH DISABILITIES,



adequate incentives shall be provided to private entities which employ [disabled] persons WITH DISABILITIES.

(b) Private entities that employ [disabled] persons WITH DISABILITIES who meet the required skills or qualifications, [either as regular employee,] AS apprentice or learner, shall be entitled to an additional deduction, from their gross income, equivalent to twenty-five percent (25%) of the total amount paid as salaries and wages to [disabled] persons WITH DISABILITIES, WHILE PRIVATE ENTITIES THAT EMPLOY SAID PERSONS WITH DISABILITIES AS REGULAR EMPLOYEES SHALL BE ENTITLED TO AN ADDITIONAL DEDUCTION, FROM THEIR GROSS INCOME, EQUIVALENT TO FIFTY PERCENT (50%) OF THE TOTAL AMOUNT PAID AS SALARIES AND WAGES TO PERSONS WITH DISABILITIES: *Provided*, [however, That such entities present proof as certified by the Department of Labor and Employment that disabled persons are under their employ: *Provided*, further, That the disabled employee is accredited with the Department of Labor and Employment and the Department of Health as to his disability, skills and qualifications.] THAT THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), UNDER ITS LABOR LAWS, SHALL ISSUE A CERTIFICATE OF COMPLIANCE TO PRIVATE ENTITIES AS PRESCRIBED IN DEPARTMENT ORDER NO. 131-B, SERIES OF 2016, ON THE REVISED RULES ON LABOR LAWS COMPLIANCE SYSTEM: *PROVIDED FURTHER*, THAT IF THERE IS NO QUALIFIED PERSON WITH DISABILITY APPLICANT AFTER THIRTY (30) DAYS FROM THE MANDATORY PUBLICATION BY THE EMPLOYER OF ITS JOB VACANCY RESERVED FOR PERSONS WITH DISABILITIES, THE EMPLOYER MAY HIRE A NON-PWD APPLICANT FOR SAID RESERVED POSITIONS BY SECURING PRIOR APPROVAL FROM THE DOLE.”

x x x

**SEC. 4.** Section 32 of Chapter 8, Title Two of Republic Act No. 7277, as amended, is hereby further amended by inserting two new subsections to read as follows:

“SEC. 32. Persons with disability shall be entitled to the following:

x x x

(L) A MONTHLY STIPEND AMOUNTING TO FIVE HUNDRED PESOS (P500.00) TO AUGMENT THE DAILY SUBSISTENCE, MEDICAL AND OTHER NEEDS OF MARGINALIZED PERSONS WITH DISABILITIES: *PROVIDED*, THAT PERSONS WITH DISABILITIES WHO ARE RECIPIENTS OF SIMILAR FINANCIAL ASSISTANCE FROM THE GOVERNMENT, INCLUDING MONETARY ASSISTANCE FOR SENIOR CITIZENS AND BENEFICIARIES UNDER THE *PANTAWID PAMILYANG PILIPINO* PROGRAM, OR 4PS, SHALL NO LONGER BE GIVEN THIS STIPEND;

(M) PROVISION OF FREE ASSISTIVE TECHNOLOGY SERVICES SUCH AS THE EVALUATION OF THE NEEDS AND THE FUNCTIONAL CAPACITY OF PERSONS WITH DISABILITIES IN THE CUSTOMARY ENVIRONMENT OR PLACE OF EMPLOYMENT, AS WELL AS SELECTING, DESIGNING, FITTING, CUSTOMIZING, ADAPTING, APPLYING, MAINTAINING, REPAIRING, OR REPLACING ASSISTIVE TECHNOLOGY DEVICES; TRAINING OR TECHNICAL ASSISTANCE FOR PERSONS WITH DISABILITIES; SIGN LANGUAGE INTERPRETING AND JOB COACHING, AND



1 SUCH OTHER FORMS OF ASSISTANCE: *PROVIDED*, THAT THE BENEFICIARY IS A  
2 MARGINALIZED PERSON WITH DISABILITY AS CERTIFIED BY THE LOCAL  
3 HEALTH OFFICE OF THE LOCAL GOVERNMENT UNIT CONCERNED;

4 (N) PROVISION OF FREE ASSISTIVE DEVICES AND TECHNOLOGIES INCLUDING  
5 TECHNICAL AIDS, PROSTHETIC AND ORTHOTIC DEVICES OR APPLIANCES  
6 PARTICULARLY FOR PERSONAL USE OF PERSONS WITH DISABILITIES THAT WILL  
7 RESTORE THEIR SOCIAL FUNCTIONING AND PARTICIPATION IN ECONOMIC  
8 ACTIVITIES AND COMMUNITY AFFAIRS, AND SUCH OTHER DEVICES AND  
9 TECHNOLOGIES APPROPRIATE TO OTHER DISABILITIES: *PROVIDED*, THAT THE  
10 BENEFICIARY IS A MARGINALIZED PERSON WITH DISABILITY AS CERTIFIED BY  
11 THE LOCAL HEALTH OFFICE OF THE LOCAL GOVERNMENT UNIT CONCERNED;  
12 AND

13 (O) EXEMPTION FROM PASSPORT PROCESSING FEES, AS WELL AS TRAVEL TAXES,  
14 TERMINAL FEES, OTHER FEES AND CHARGES LEVIED IN AIRPORTS, PORTS, OR  
15 OTHER TERMINALS BY THE GOVERNMENT, ITS AGENCIES OR  
16 INSTRUMENTALITIES, OR BY GOVERNMENT-OWNED OR CONTROLLED  
17 CORPORATIONS.

18 The abovementioned privileges are available only to persons with [disability]  
19 DISABILITIES who are Filipino citizens upon submission of any of the following as proof of  
20 [his/her] entitlement thereto:

21 (i) [An] THE PWD identification card issued by the city or municipal mayor or the barangay  
22 captain of the place where the person[s] with disability resides, OR BY THE  
23 NATIONAL COUNCIL ON DISABILITY AFFAIRS; OR  
24 (ii) The passport of the [persons] PWD with APPARENT disability [concerned;].

25 [(iii) Transportation discount fare Identification Card (ID) issued by the National Council for  
26 the Welfare of Disabled Persons (NCWDP).]

27 THE IDENTIFICATION CARD ISSUED TO PERSONS WITH PERMANENT  
28 DISABILITIES SHALL BE FREE OF CHARGE AND SHALL BE VALID DURING THE  
29 LIFETIME OF THE CARDHOLDER: *PROVIDED*, THAT SUCH PERMANENT  
30 DISABILITY IS CERTIFIED BY THE MUNICIPAL OR CITY HEALTH OFFICE AND  
31 VERIFIED BY THE LOCAL SOCIAL WELFARE DEVELOPMENT OFFICE (LSWDO).

32 THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHALL  
33 ENSURE THAT THE LIFETIME VALIDITY OF THE ID CARD OF PERSONS WITH  
34 PERMANENT DISABILITIES IS NOT ABUSED, ESPECIALLY WHEN THE ID HOLDER  
35 DIES."

36 x x x

1           SEC. 5. *Appropriations.* - The Secretary of Social Welfare and Development shall  
2 include in the DSWD's programs the implementation of this Act, the funding of which shall be  
3 included in the Annual General Appropriations Act.

4           SEC. 6. *Implementing Rules and Regulations.* - The DSWD, in coordination with the  
5 NCDA and in consultation with the Department of the Interior and Local Government, the  
6 Department of Health, the DOLE, the Department of Finance, and the Civil Service  
7 Commission, shall promulgate, not later than ninety (90) days after the effectivity of this Act, the  
8 necessary rules and regulations for its proper and effective implementation.

9           SEC. 7. *Separability Clause.* - If any provision of this Act is declared unconstitutional,  
10 the same shall not affect the validity and effectivity of the other provisions hereof.

11           SEC. 8. *Repealing Clause.* - All laws, presidential decrees, executive orders and rules  
12 and regulations inconsistent with the provisions of this Act are hereby repealed or modified  
13 accordingly.

14           SEC. 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in  
15 the Official Gazette or in a newspaper of general circulation.

Approved,