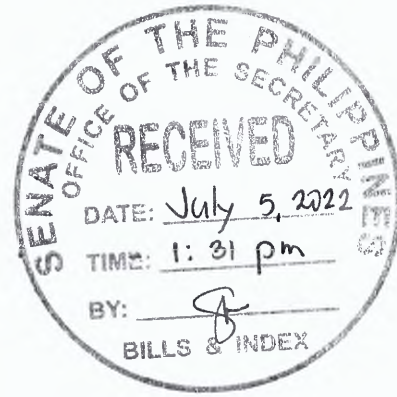


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. No. 31

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
PROVIDING FOR THE SOCIAL PENSION OF INDIGENT PERSONS WITH
DISABILITY, AND PROVIDING FUNDS THEREFOR

EXPLANATORY NOTE

Based on the last National Disability Prevalence Survey¹ conducted in 2016, disability prevalence in the Philippines was recorded at 12 percent of Filipinos age 15 and older. It was also reported that almost one in every two (47%) experienced moderate disability while 23 percent with mild disability. The results were worse in older generations with almost one-third of populations age 60 or older are afflicted with severe disability. With this high percentage of persons with disability, there is indeed a need for more social protection measures granted to members of this vulnerable sector of society.

Republic Act No. 7277, otherwise known as the "Magna Carta for Persons with Disabilities," along with the amendments to the said law, is a testament to the importance and priority accorded by the government to the specific problems and conditions of persons with disabilities (PWDs). However, changing conditions and circumstances that have occurred in the PWD sector since the enactment of these laws require that the privileges and benefits granted under them are constantly updated and refined. This bill is being proposed in response to this objective.

¹ <https://psa.gov.ph/ndps/disability-survey-id/138567>

Marami po sa ating mga kababayang PWD ay walang maayos na napagkukunan ng kanilang mga panggastos. Hirap po sila makahanap ng pangtustos hindi lamang para sa kanilang mga pangangailangan, kundi pati na para sa kanilang gamutan. Maliit man na halaga ito subalit makatutulong po ito ng malaki para sa mga kababayan po nating tunay na nangangailangan.

This bill seeks to provide a monthly social pension benefit amounting to Php 2,000 in favor of indigent PWDs, as verified and certified by the Department of Social Welfare and Development (DSWD) and the National Council on Disability Affairs (NCDA). To effectively implement the distribution of the monthly social pensions, a database of all PWDs should be created by the NCDA and DSWD. Renewed efforts must be made to collect comprehensive, accurate and updated information that can be disaggregated according to a wide range of variables as a basis for effective planning and implementation services, and monitoring and evaluation. The provision of this monthly social pension is primarily aimed at supporting the expenses of and easing the financial burdens suffered by indigent PWDs and their families.

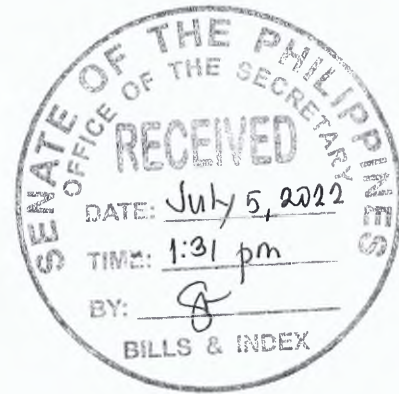
In view of this, early passage of this bill is sought.


MANUEL "LITO" M. LAPID
Senator 

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE

S. No. 31



Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
PROVIDING FOR THE SOCIAL PENSION OF INDIGENT PERSONS WITH
DISABILITY, AND PROVIDING FUNDS THEREFOR**

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

1 SECTION 1. *Short Title.* – This Act shall be known as “Monthly Social Pension
2 for Indigent Persons with Disability Act.”
3

4 Section 2. *Declaration of Policy.* – It is the policy of the State to promote a just
5 and dynamic social order that will ensure the prosperity and independence of the
6 nation and free the people from poverty through policies that provide adequate social
7 services, promote full employment, a rising standard of living, and an improved quality
8 of life for all. The State shall provide priority to the needs of vulnerable sectors such
9 as persons with disabilities. In pursuance of this end, social protection measures such
10 as the grant of monthly social pension shall be extended to indigent persons with
11 disabilities.

12 Section 3. *Definition of Terms.* – For purposes of this Act, these terms are
13 defined as follows:

14 a. *Disability* refers to (1) a physical or mental impairment that substantially limits
15 one or more psychological, physiological or anatomical function of an individual
16 or activities of such individual; (2) a record of such an impairment; or (3) being

1 regarded as having such an impairment;

2 b. *Handicap* refers to a disadvantage for a given individual resulting from an
3 impairment or a disability, that limits or prevents the functions or activity, that
4 is considered normal given the age and sex of the individual

5 c. *Impairment* is any loss, diminution or aberration of psychological, physiological,
6 or anatomical structure of function;

7 d. *Indigent Person with Disability* refers to a person with disability who is frail,
8 sickly, and without pension or permanent source of income, or regular support
9 from his/her relatives to meet his/her basic needs;

10 e. *Persons with Disabilities (PWDs)* are those suffering from restriction of different
11 abilities, as a result of a mental, physical or sensory impairment, to perform an
12 activity in the manner or within the range considered normal for a human being.

13 Section 4. *Coverage.* – All indigent PWD, as verified and certified by the
14 Department of Social Welfare and Development (DSWD) and the National Council on
15 Disability Affairs (NCDA) shall be covered by the provisions of this Act.

16 The eligible PWD shall be entitled to a monthly social pension from the DSWD
17 amounting to Two Thousand Pesos (Php 2,000) to augment his/her daily subsistence,
18 subject to existing government auditing rules and regulations: Provided, that the social
19 pension may be waived if the PWD is capable of supporting his/her own self or his/her
20 family as certified by the DSWD Field Office concerned.

21 Section 5. *Database of PWDs.* – To implement effectively, a database of all
22 PWDs should be created by the NCDA and DSWD. Renewed efforts must be made to
23 collect comprehensive, accurate and update information that can be disaggregated
24 according to a wide range of variables as a basis for effective planning and
25 implementation services, and monitoring and evaluation. The creation and
26 management of this database shall adhere strictly to the standards set forth in
27 Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012."

28 Section 6. *Policy on PWD Identification Cards.* – The issuance of PWD
29 Identification Cards pursuant to Republic Act No. 7277, otherwise known as the
30 "Magna Carta for Persons with Disabilities," as amended, along with other relevant

1 administrative issuances and local ordinances, shall incorporate the information
2 necessary for the granting of the monthly social pension to eligible PWDs. The
3 issuance of an authentic PWD Identification Card is a pre-requisite to qualify as a
4 beneficiary under this Act.

5 *Section 7. Penal Provisions.* – The penalties shall apply to the following:

6 a. Any PWD, or his/her parent or his/her relative of any degree of
7 consanguinity or affinity, or any third person found to be deliberately
8 committing any fraudulent act of enrolling a PWD to the program when
9 said person is not indigent shall suffer the following:

10 i. For the first violation, a fine of not less than Twenty-five thousand
11 pesos (Php 25,000) but not exceeding Fifty thousand pesos (Php
12 50,000); and

13 ii. For any subsequent violation, a fine of not less than Fifty
14 thousand pesos (Php 50,000) but not exceeding One hundred
15 thousand pesos (Php 100,000).

16 b. Any person, natural or juridical, violating any provision of this Act and
17 its IRR, except violations pertaining to Subsection a of this Section, shall
18 be penalized with a fine of not less than Fifty thousand pesos (Php
19 50,000.00) but not exceeding One hundred thousand pesos (Php
20 100,000.00). If the violator is a corporation, organization or any similar
21 juridical entity, the officials directly involved and responsible shall be
22 liable therefor.

23 *Section 8. Appropriations.* - The amount necessary for the implementation of
24 this Act shall be included in the annual General Appropriations of the year following
25 its enactment into law and thereafter. An initial amount of Two Billion pesos (Php
26 2,000,000,000) shall be allocated for the first year of its operation.

27 *Section 9. Implementing Rules and Regulations.* – Within sixty (60) days from
28 the effectivity of this Act, the DSWD, in consultation with the NCDA, Department of
29 Interior and Local Government, Department of Health, and other relevant government
30 agencies and non-government organizations, shall issue the necessary rules and
31 regulations to implement the provisions of this Act.

1 Section 10. *Report to Congress.* – The DSWD and NCDA shall annually submit
2 a report to Congress about the status of the implementation of this Act for the purpose
3 of review and recommendation of additional measures necessary for the attainment
4 of the objectives of this Act.

5 Section 11. *Suppletory Clause.* – The provisions of Republic Act No. 7277,
6 otherwise known as the “Magna Carta for Persons with Disabilities,” as amended by
7 Republic Act No. 10754 and Republic Act No. 9442, have suppletory effect to the
8 provisions of this Act.

9 Section 12. *Repealing Clause.* — All laws, presidential decrees, executive
10 orders, proclamations, rules and regulations, or any part thereof, which are
11 inconsistent with the provisions of this Act are hereby repealed or modified
12 accordingly.

13 Section 13. *Separability Clause.* – If any provision or part of this Act, or the
14 application thereof to any person or circumstance, is held unconstitutional or invalid,
15 the remainder of this Act shall not be affected thereby.

16 Section 14. *Effectivity Clause.* — This Act shall take effect fifteen (15) days
17 from its publication in the Official Gazette or in at least two (2) newspapers of general
18 circulation.

19
20 *Approved,*