



**NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]**

'22 AUG -8 A10 :10

RECEIVED BY:

SENATE

S.B. No. 1056

Introduced by SEN. WIN GATCHALIAN

**AN ACT
ENHANCING ACCESSIBILITY IN THE VOTING OF SENIOR CITIZENS,
PERSONS WITH DISABILITIES, PREGNANT WOMEN, AND INDIGENOUS
PEOPLES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10366,
OTHERWISE KNOWN AS "AN ACT AUTHORIZING THE COMMISSION ON
ELECTIONS TO ESTABLISH PRECINCTS ASSIGNED TO ACCESSIBLE
POLLING PLACES EXCLUSIVELY FOR PERSONS WITH DISABILITIES AND
SENIOR CITIZENS", PROVIDING FUNDS THEREFOR, AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

The recently conducted 2022 National and Local Elections demonstrates the pressing and urgent need to focus on the voting populations of senior citizens, persons with disabilities and indigenous peoples, as percentages of those who exercised their right to vote, in relation to the number of registered voters from these sectors, had been very lackluster.

According to latest data from the Philippine Statistics Authority, there are 12,336,355 Filipinos aged 60 years old and above as of May 2020. The total number of senior citizens is 11.31 percent of the country's estimated total population of 109,035,343¹. The Commission on Elections (Comelec) reported that senior citizens

¹ Philippine Statistics Authority, 2020 Census of Population and Housing (2020 CPH).

comprise the biggest proportion of voters among all age groups, with almost 10.1 million voters ages 60 years and older.² However, Comelec data as of May 14, 2022 showed that only 50,068 senior citizens voted during the 2022 election out of the 10,085,956 registered voters under this sector,³ or only a shockingly 0.5 percent of the total registered senior citizen voters.

Moreover, the Comelec's Vulnerable Sectors Office's (VSO) data provides that there are almost 512,000 registered voters who are persons with disabilities in 2022, up from just 348,000 in 2019. Of this number, 109,299 has physical disabilities while 75,941 has visual disabilities.⁴ However, according to the Comelec data as of May 14, 2022, only 2,293 out of the 511,612 persons with disabilities had cast their votes,⁵ or only a very dismal 0.4% of said voters.

In addition, as per the National Commission on Indigenous Peoples, there are approximately 11.3 million indigenous people in the Philippines, amounting to 11- 12 per cent of the population.⁶ Based on Comelec data as of May 14, 2022, a total of 40,319 indigenous people participated in the 2022 general elections. The figure represents only 6.05 percent of the total number of registered voters among the said sector which was at 666,308.⁷

Although the pandemic had a significant role for these low suffrage numbers, the issue of accessibility and efficiency in voting, to avoid long queues or additional health risks such as heatstroke or fatigue, are likewise major voting considerations for these vulnerable sectors.

² ABS-CBN News, "#Halalan2022: More than half of registered voters are 18-39 years old, research shows," [More than half of PH voters are 18-39 years old: research | ABS-CBN News](#)

³ Manila Bulletin, "Over 40K indigenous people voted during 2022 polls—Comelec," [Over 40K indigenous people voted during 2022 polls—Comelec – Manila Bulletin \(mb.com.ph\)](#)

⁴ Philippine Star, "Accessible voting precincts for PWDs a good start, but more inclusive coverage still needed," <https://www.philstar.com/headlines/2022/05/06/2179194/accessible-voting-precincts-pwds-good-start-more-inclusive-coverage-still-needed>

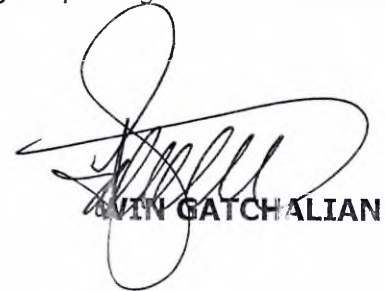
⁵ Manila Bulletin, "Over 40K indigenous people voted during 2022 polls—Comelec," [Over 40K indigenous people voted during 2022 polls—Comelec – Manila Bulletin \(mb.com.ph\)](#)

⁶ Minority Rights Groups International. [Philippines - World Directory of Minorities & Indigenous Peoples \(minorityrights.org\)](#)

⁷ Manila Bulletin, "Over 40K indigenous people voted during 2022 polls—Comelec," [Over 40K indigenous people voted during 2022 polls—Comelec – Manila Bulletin \(mb.com.ph\)](#)

To address these issues, this Bill amends Republic Act No. 10366, otherwise known as "An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens," to allow early voting, provide an option for postal early voting, and designate accessible precincts exclusively for these identified vulnerable sectors, which are significant steps towards suffrage inclusiveness. This bill likewise includes additional vulnerable sectors of our society - the indigenous peoples and pregnant women, so that they can also enjoy these priority features for easier and faster voting.

In view of the foregoing considerations, the urgent passage of this measure is earnestly sought.



EDWIN GATCHALIAN



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

]]]

'22 AUG -8 A10 :10

RECEIVED BY:

SENATE

S. B. No. 1056

Introduced by SEN. WIN GATCHALIAN

AN ACT

**ENHANCING ACCESSIBILITY IN THE VOTING OF SENIOR CITIZENS,
PERSONS WITH DISABILITIES, PREGNANT WOMEN, AND
INDIGENOUS PEOPLES, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 10366, OTHERWISE KNOWN AS "AN ACT AUTHORIZING
THE COMMISSION ON ELECTIONS TO ESTABLISH PRECINCTS
ASSIGNED TO ACCESSIBLE POLLING PLACES EXCLUSIVELY FOR
PERSONS WITH DISABILITIES AND SENIOR CITIZENS", PROVIDING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

*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 the "Better Voting
2 Accessibility for Seniors, PWDs, Pregnant Women, and IPs Act."

3
4 SEC. 2. *Declaration of Policy.* -The State shall ensure that senior citizens,
5 persons with disabilities (PWDs), pregnant women, and indigenous peoples
6 (IPs) are able to exercise their right to political participation without restrictions.
7 The State shall devise systems and procedures that will enhance accessibility
8 in their voting process.

9
10 SEC. 3. Definition of Terms. - As used in this Act, the term:

11 (a) *Commission* - refers to the Commission on Elections.

1 (b) *Senior citizens* - refer to qualified voters who are sixty (60) years or
2 older.

3 (c) *Persons with disabilities* or *PWDs* - refer to qualified voters who have
4 long term physical, mental, intellectual, or sensory impairments which, in
5 interaction with various barriers, may hinder their full and effective participation
6 in society on an equal basis with others.

7 (d) *Pregnant women* - refer to qualified voters who are pregnant at the
8 time of the period for early voting and during election day regardless of the
9 number of trimester.

10 (e) *Indigenous peoples* - refer to qualified voters who belong to a group
11 of people or homogenous societies identified by self-ascription and ascription
12 by others, who have continuously lived as organized community on communally
13 bounded and defined territory, and who have, under claims of ownership since
14 time immemorial, occupied, possessed and utilized such territories, sharing
15 common bonds of language, customs, traditions and other distinctive cultural
16 traits, or who have, through resistance to political, social and cultural inroads
17 of colonization, non-indigenous religions and cultures, became historically
18 differentiated from the majority of Filipinos. IPs shall likewise include peoples
19 who are regarded as indigenous on account of their descent from the
20 populations which inhabited the country, at the time of conquest or
21 colonization, or at the time of inroads of non-indigenous religions and cultures,
22 or the establishment of present state boundaries, who retain some or all of
23 their own social, economic, cultural and political institutions, but who may have
24 been displaced from their traditional domains or who may have resettled
25 outside their ancestral domains.

26

27 SEC. 4. *Early Voting*. - For national and local elections, there shall be
28 early voting where senior citizens, PWDs, pregnant women, and IPs qualified
29 to vote early may choose to cast their ballot for a period of not less than two
30 (2) days within thirty (30) calendar days before election day at accessible
31 establishments designated by the Commission. For this purpose, accessible
32 establishments shall be located at the ground floor, preferably near the

1 entrance of a building, shall be readily accessible to public transportation, and
2 shall be free of any physical barriers and provided with necessary infrastructure
3 and disability support services, including assistive devices, transport
4 wheelchairs, ramps, railings, sidewalk, adequate lighting, ventilation, and other
5 features for the senior citizens, PWDs, and pregnant women. Aside from
6 structural accessibility, the Commission shall provide live assistance for PWDs
7 such as sign language interpreters. There shall be a nationwide registration of
8 senior citizens, PWDs, pregnant women, and IPs who may wish to avail of their
9 early voting privileges to qualify them for early voting. Only those who are not
10 registered under the early voting system shall vote on election day.

11

12 *SEC. 5. Option for Postal Early Voting.* - Senior citizens, PWDs, pregnant
13 women, and IPs who registered for early voting shall have the option to cast
14 their ballot via post in designated precincts: *Provided*, That voters who wish to
15 vote via post must first be registered to do so with the Commission. The
16 Commission shall provide rules, necessary safeguards, and confirmation
17 procedures to properly implement this provision.

18

19 *SEC. 6. Emergency Accessible Polling Places (EAPP).* - During election
20 day, the Commission shall designate a room or a makeshift or temporary polling
21 place established at the ground of a voting center or outside of it but in close
22 proximity thereto, where senior citizens, PWDs, pregnant women or IP voters
23 may vote on election day. The Commission shall ensure that the voting
24 procedure in the EAPP, including the facilities, materials, and a voting machine
25 in the event of automated elections, are adequate, appropriate, accessible, and
26 easy to understand and use, and that reasonable accommodation shall be
27 granted to PWDs, senior citizens, pregnant women and IPs in order that they
28 may fully exercise their right of suffrage. The Commission shall provide live
29 assistance for PWDs such as sign language interpreters.

30

31 *SEC. 7.* Section 2(j) of Republic Act No. 10366 is hereby amended to
32 read as follows:

1 "SEC. 2. Definition of Terms, -xxx

2 (a) xxx.

3 (j) Accessible polling piece refers to the venue where the
4 Board of Election Inspectors (BEIs) conducts election-
5 related proceedings and where the voters cast their
6 votes. The accessible polling place shall be located at the
7 ground floor, preferably near the entrance of the
8 building, **SHALL BE READILY ACCESSIBLE TO**
9 **PUBLIC TRANSPORTATION**, and [is] **SHALL BE** free
10 of any physical barriers and provided with necessary
11 **INFRASTRUCTURE AND** services, including assistive
12 devices, **TRANSPORT WHEELCHAIRS, RAMPS,**
13 **RAILINGS, SIDEWALKS, ADEQUATE LIGHTING,**
14 **VENTILATION, AND OTHER FEATURES FOR**
15 **PERSONS WITH DISABILITIES, SENIOR**
16 **CITIZENS, PREGNANT WOMEN AND**
17 **INDIGENOUS PEOPLES."**

18
19 SEC. 8. Section 9 of Republic Act No. 10366 is hereby amended to read
20 as follows:

21 "SEC. 9. [~~Creation of~~] Precincts for Persons with
22 Disabilities and Senior Citizens. - The Commission is
23 hereby authorized to [~~establish~~] **DESIGNATE** precincts
24 [~~of a nonterritorial nature,~~] **IN ACCESSIBLE POLLING**
25 **PLACES FOR THE** exclusive [~~ly for~~] **USE OF** persons
26 with disabilities and senior citizens [~~who in their~~
27 ~~registration records manifest their intent to avail of their~~
28 ~~right to a separate precinct under this section. Pursuant~~
29 ~~thereto, the Commission shall establish at least one (1)~~
30 ~~such precinct assigned to accessible polling places for~~
31 ~~every voting center.], **SUCH AS IN PUBLIC**
32 **SCHOOLS, TOWN HALLS OR PLAZAS, CIVIC**~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

CENTERS, COMMUNITY CENTERS, OR OTHER SIMILARLY DESIGNATED SPECIAL VENUES OR AREAS, WITH PREFERENCE FOR VENUES DESIGNED WITH SPECIAL FEATURES TO ENSURE THEIR SAFETY AND COMFORT. Such precincts shall be provided with assistive devices **PURSUANT TO THE PROVISIONS OF SECTION 2(J) OF THIS ACT** as well as the services of experts in assisting persons with disabilities, **SUCH AS SIGN LANGUAGE INTERPRETERS.**

SEC. 9. *Implementing Rules and Regulations.* - Within ninety (90) days from approval of this Act, the Commission shall, in consultation with other relevant government agencies, non-governmental organizations, and civil society organizations, promulgate the rules and regulations necessary to implement this Act.

SEC. 10. *Appropriations.* -The initial appropriation to carry out the provisions of this Act shall be charged against the current appropriations of the Commission. Thereafter, the amount necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SEC. 12. *Repealing Clause.* - All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

1 SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,