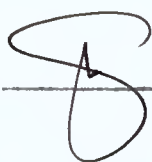


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 JAN 19 P3:10

SENATE
S. No. 1704

RECEIVED BY: 

Introduced by Senator MARK A. VILLAR

AN ACT
MANDATING CONSTRUCTION OF PERSON WITH DISABILITIES (PWD)
INFRASTRUCTURE-FRIENDLY FACILITIES IN ALL STATE UNIVERSITIES
AND COLLEGES (SUCs), APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES.

EXPLANATORY NOTE

On April 15, 2008, the Philippines officially ratified the Convention on the Rights of Persons with Disabilities¹. Article 9 of the said Convention provides that State Parties shall enable persons with disabilities to live independently and participate fully in all aspects of life, they shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities, and workplaces.

In the same manner that Article 17 of the Philippine's Magna Carta for Persons with Disabilities provides that it is the National Government's mandate to provide State

¹ United Nations. (n.d.). *UN, United Nations, UN treaties, treaties*. United Nations. Retrieved November 28, 2022, from https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&clang=_en

Universities and Colleges (SUCs) with necessary special facilities for visually-impaired, hearing-impaired, speech-impaired, and orthopedically-impaired students. It shall likewise allocate the necessary funds in support of the above.

"Enabling the disabled" is a state policy that should be reflected in Philippine legislation. Results of the National Disability Prevalence Survey (NDPS) showed that, in 2016, around 12 percent of the Filipinos age 15 and older experienced severe disability. Almost one in every two or 47 percent experienced moderate disability while 23 percent with mild disability. Aside from the fact that education is a right endowed even to PWDs, obtaining a college degree is needed for them to be competitive in employment, whether locally or abroad.

Hence, it is high time to advance efforts that will remove barriers in school infrastructure through mandatory construction and repair of PWD-friendly infrastructure facilities in all SUCs and ensure sufficient budgetary support is given to implement this advocacy. SUCs were chosen as the subject of this law since their tuition fee is either free or is subsidized by the government, therefore giving more chance to less-fortunate PWDs to finish their collegiate education despite financial constraints.

In view of the foregoing, support for the passage and approval of this legislation is earnestly sought.



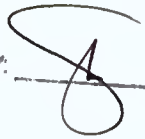
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AN ACT
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AND COLLEGES (SUCs), APPROPRIATING FUNDS THEREFOR, AND FOR
OTHER PURPOSES.

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

1 Section 1. *Short Title.* – This act shall be known as the “PWD Infrastructure-
2 Friendly Facilities in SUCs Act of 2022.”

3 *Sec. 2. Declaration of Policy.* – It is the policy of the State to give full support to
4 the improvement of the total well-being of disabled persons and their integration into
5 the mainstream of society. Hence, the State shall adopt policies ensuring the
6 rehabilitation, self-development and self-reliance of disabled persons. It shall develop
7 their skills and potentials to enable them to compete favorably for available
8 opportunities.

9 Meanwhile, Section 29, Article VI of the 1987 Philippine Constitution provides
10 that no money shall be paid by the Treasury except in pursuance of an appropriation
11 made by law.

12 *Sec. 3. Scope and Coverage.* – This Act shall cover all State Universities and
13 Colleges (SUCs) in the Philippines defined as a public higher education institution

1 established by national government and are governed by their respective boards of
2 trustees or regents.

3 *Sec. 4. Mandatory Construction of PWD-friendly infrastructure facilities in SUCs*
4 – All SUCs in the Philippines shall create infrastructure facilities that are PWD-friendly.
5 SUCs, through Commission on Higher Education (CHED), shall coordinate with the
6 Department of Public Works and Highways (DPWH) and National Council on Disability
7 Affairs (NCDA) to ensure that facilities that are to be constructed or repaired are in
8 compliance with the infrastructure standard set forth for PWDs.

9 Physical infrastructure includes components within and outside SUCs. This
10 includes but is not limited to signages, accessible entrances, corridors, toilets with
11 grab bars, switches and controls, ramps, elevators, accessible desks, canteens,
12 waters taps, and emergency exits as well as outdoor facilities like roads and footpaths
13 necessary to reach the schools. Accessibility of PWDs in Water, Sanitation, and
14 Hygiene (WASH) facilities shall also be considered.

15 The CHED shall give high consideration to other facilities which the DPWH and
16 NCDA may suggest.

17 *Sec. 5. Implementing Rules and Regulations.* – The Commission on Higher
18 Education, in collaboration with the National Council on Disability Affairs, Department
19 of Public Works and Highways, and Department of Budget and Management (DBM)
20 shall issue the necessary rules and regulations for the effective implementation of this
21 Act within a period of ninety (90) days after its approval.

22 *Sec. 6. Appropriations* – Beginning the year this Act is enacted:

23 a. For the next three (3) years, an amount of Ten Billion pesos
24 (Php10,000,000,000.00) shall be added in the existing budget of CHED.
25 Purpose of which is to construct and/or repair school facilities necessary
26 for a comfortable access of students and school faculty with disabilities,
27 which is not only limited to classrooms, comfort rooms, school stage,
28 clinic, canteen, and other school areas which a PWD may need an
29 access to;

1 b: Thereafter, an amount of Five Billion pesos (Php5,000,000,000.00) shall
2 be added in the existing budget of CHED for the same purpose
3 mentioned above;

4 c. Without diminishing their entitlements, all members of Congress shall
5 appropriate ten percent (10%) of their congressional initiatives for PWD
6 infrastructure-friendly facilities in SUCs within their jurisdiction.

7 The fund needed to implement the provisions of this Act must be sourced
8 primarily from the General Appropriations Act. This law shall be in the form of an
9 automatic appropriations that shall be programmed annually, without regard to the
10 budget proposal or approved appropriations of the Commission on Higher Education.

11 *Sec. 7. Separability Clause.* – If any provision of this Act is declared
12 unconstitutional, the same shall not affect the validity and effectivity of the other
13 provisions hereof.

14 *Sec. 8. Repealing Clause.* – All laws, executive orders, presidential decrees,
15 presidential proclamations, rules and regulations or parts thereof inconsistent with the
16 provisions of this Act are hereby repealed or modified accordingly.

17 *Sec. 9. Effectivity Clause.* – This Act shall take effect fifteen (15) days from
18 its publication in the Official Gazette or at least two (2) national newspapers of general
19 circulation.

 Approved.