



HONORABLE IMEE R. MARCOS
Chairperson
Social Justice, Welfare and Rural Development
Senate of the Philippines
Pasay City

Attn: Ms. Elizabeth F. Agas
Committee Secretary

Dear **Senator Marcos**,

This refers to your request for a position paper on the following proposed bills:

Senate Bill (SB) No.	Title	Author
311	An Act Increasing the Positions Reserved for Persons with Disabilities, Amending for the Purpose Republic Act. No. 7277, as Amended, otherwise known as the Magna Carta for Disabled Persons	Sen. Juan Miguel F. Zubiri
1433	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 Therefore	Sen. Ramon "Bong" Revilla, Jr.

At the outset, it appears that the proposed bills intend to amend Republic Act No. 7277 or the Magna Carta for Disabled Persons by granting additional privilege to persons with disabilities.

The Department of Social Welfare and Development (DSWD) supports the proposed legislations intended to improve the welfare of the poor, the vulnerable, and the marginalized sectors. To be sure, persons with disabilities (PWDs) are among those sectors. The passage of any legislation promoting their welfare is in keeping with the constitutional mandate to enact measures that protect and enhance the right of all the



people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.¹ Further, it is in compliance with the Philippines' commitments under the United Nations Convention on the Rights of Persons with Disabilities prohibiting the discrimination on the basis of disability.²

On account of these underlying principles, we take this opportunity to provide the following comments and suggestions for the consideration of the Committee:

1. IDs of persons with permanent disabilities should be certified by the Persons with Disabilities Affairs Office (PDAO) while the National Council on Disability Affairs (NCDA) shall ensure the validity of IDs.

Under Section 4 of SBN-1433 *"the identification card issued to persons with permanent disabilities shall be free of charge and shall be valid during the lifetime of the cardholder, provided, that such permanent disability is certified by the Municipal or City Health Office and verified by the Local Social Welfare Development Office (LSWDO)"*. We refer to the provision of RA No. 10070 which mandated the creation of PDAO to ensure the implementation of programs and services for persons with disabilities in every province, city and municipality. We are of the view that PDAO should be the office in-charge to verify the certification issued by the City Health Officer/Municipal Health officer for the issuance or renewal of PWD IDs.

In the same section, it was added that *"the Department of Social Welfare and Development (DSWD) shall ensure that the lifetime validity of the ID card of persons with permanent disabilities is not abused, especially when the ID holder dies."* We submit that the National Council on Disability Affairs (NCDA) should manage and monitor the validity of PWD IDs as they are mandated to "lead in the implementation of programs and services," as well as "develop and maintain a data bank on disability in partnership with concerned government agencies and non-government organizations" under Section 2 of Executive Order No. 709.

¹ Section 1, Article XIII, 1987 Constitution.

² United Nations Department of Economic and Social Affairs Disability. (n.d.). *Convention On The Rights Of Persons With Disabilities*. The United Nations. Retrieved April 25, 2023, from <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>

2. NCDA should be the lead agency in the implementation of the law.

We concur with Section 2 of SBN-311 which mandates that NCDA should promulgate the necessary rules and regulations in the implementation, in coordination with other agencies on account of its role as a national working body promoting and monitoring implementation of national laws and international commitments on persons with disabilities. As explained above, the NCDA is the lead agency mandated to be the government policy-making, planning, monitoring, coordinating and advocating for the prevention of the causes of disability, rehabilitation and equalization of opportunities in the concept of rights-based society for persons with disabilities and lead in the implementation of programs and projects.

Thank you.

Very truly yours,


REX GATCHALIAN
Secretary
Date: 17 MAY 2023