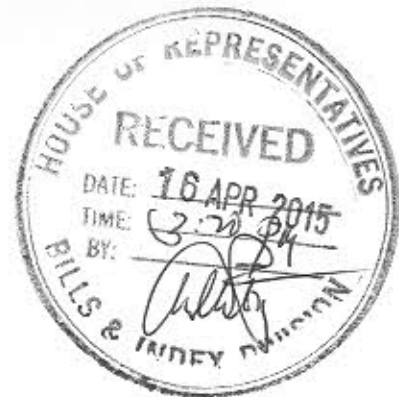


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5673



Introduced by Representative Leah S. Paquiz of ANG NARS Party – List

EXPLANATORY NOTE

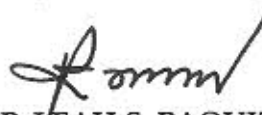
Article XIII, Section 13, of the Philippine Constitution mandates the State to “establish a special agency for disabled persons for rehabilitation, self-development and self-reliance, and their **integration into the mainstream of society**.” On the other hand, Philippines has been a signatory to the UNCRPD since September 25, 2007 and has ratified the same on April 15, 2008. As a State Party, the Philippines is mandated to make information intended for the general public be accessible to persons with disabilities (PWDs), in a timely manner and without additional cost, and to accept and facilitate the form of communication chosen by the PWDs in their interactions¹.

Further, Philippines as a signatory of UNCRPD undertakes to enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community².

Obviously, the foregoing policies clamor for an executory law that will give life to their purest intentions. Thus, this bill intends to promote and protect equitable access to all forms of communication for the deaf, without distinction or exclusivity, whatsoever, towards inclusive human and social development of every deaf Filipino.

Nowadays, people who are deaf have various and diverse modes of communication that are made available for them for decades. Aside from sign language, there are other methods including oral, written, gestural, and the use of manually coded English. These methods are employed in different educational facilities and in the provision of services for the deaf, giving them access to richer vocabulary and helping bridge the gap that deafness brings about.

Categorically, communication and information accessibility of the deaf and people heard of hearing must be protected in order for them to exercise their **right to choose** the mode and form of communication that will best suit them and serve them both in their formal learning and professional advancement. In view of the foregoing, the passage of this bill is earnestly sought.


REP. LEAH S. PAQUIZ
Representative
ANG NARS Party-list

¹ Article 21, sub-paragraph (a) and (b) of the UNCRPD.

² Article 24, 3(c), Ibid.

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**"AN ACT PROVIDING COMMUNICATION AND INFORMATION
ACCESSIBILITY TO DEAF AND HARD OF HEARING
FOR FULL INCLUSION INTO THE MAINSTREAM OF SOCIETY"**

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

1 **Section 1. Short Title.** – This Act shall be known as "Communication and Information
2 Accessibility to Deaf and Hard of Hearing".
3

4 **Section 2. Declaration of Policy.** – It is hereby declared the policy of the State to
5 promote, protect, and ensure the full and equal enjoyment of all human rights and
6 fundamental freedoms of persons with disabilities. Thus, national and local state
7 agencies shall uphold respect for their inherent dignity, individual autonomy, and
8 independence by guaranteeing accessibility and eliminating all forms of
9 discrimination in all public interactions and transactions, thereby ensuring their full
10 and effective participation and inclusion in society.
11

12 The State shall also take all appropriate measures to provide accessible
13 communication to develop productive and responsible citizens, equipped with the
14 essential competencies, skills and values for both life-long learning and employment.
15 Pursuant to this, communication accessibility that meets the various needs of a diverse
16 group of Filipinos who are deaf and hard of hearing shall be provided. This
17 accessibility measures shall take into consideration several factors like degree of
18 hearing loss; cognitive, emotional, linguistic, social and academic development;
19 family dynamics and culture.
20

21 **Section 3. Definition of Terms.** –
22

- 23 a) "Communication Accessibility" refers to the provision of accommodations in
24 terms of appropriate goods, services and facilities to meet the communication
25 needs of the Filipino deaf and hard-of-hearing to allow them full participation
26 of their functions in the society;

- b) *"Inclusion"* refers to the enrolment of Filipino deaf and hard-of-hearing in regular classrooms with the necessary accommodations and support services;
- c) *"deaf"* refers to those individuals whose hearing is non-functional for ordinary purposes in life;
- d) *"Hard-of-Hearing"* refers to those individuals who have a defective sense of hearing but are still functional with or without a hearing aid;
- e) *"Oral Communication"* is a method in educating deaf and hard-of-hearing children using only the spoken language, speech reading, and voice training; and,
- f) *"Signed Communication"* uses manual communication and body language to convey meaning, as opposed to acoustically conveyed sound patterns. This can involve simultaneously combining hand shapes, orientation and movement of the hands, arms or body, and facial expressions to fluidly express a speaker's thoughts.

Section 4. Right to Communication Accessibility. – Communication accessibility is a legal right of Filipino deaf and hard of hearing to equal access to goods, services and facilities in the community, schools, public transactions in health systems, Courts, Quasi-Judicial Agencies and other Tribunals, broadcast media and workplaces.

Communication accessibility recognizes and respect the right of the Filipino deaf and hard-of-hearing to communicate freely with others. Services and facilities shall promote understanding of communication needs, explore language opportunities, provide communication tools and not to favor any particular communication mode or language over another.

Section 5. Communication Access in Education. – Every deaf and hard-of-hearing child has unique learning needs. Inclusive education programs should be designed to take into consideration the unique needs of the deaf and hard-of-hearing learner and implemented 'in the most appropriate language and mode and means of communication' for the deaf and hard-of-hearing individual.

(1) Language of Instruction. The Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), Early Childhood and Development Council (ECCD) and all other national and local government agencies involved in the education of the deaf and hard of hearing are tasked to develop systems of communication that meet the needs and potentials of Filipino deaf and hard of hearing. These systems shall include oral and signed communication.

(2) Training of Teachers. In-service training shall include upgrading of competencies on philosophies of education for the deaf and hard of hearing, different communication modalities, approaches, methods in teaching learners who are deaf and hard of hearing.

1 **(3) Training and Evaluation Programs.** To improve the quality of teachers in all areas
2 of education for persons with hearing loss, all national and local government agencies,
3 centers, and programs providing education to deaf and hard-of-hearing students, are
4 hereby tasked to institute periodic training and evaluation programs for their teachers.
5 Training and evaluation shall be designed and taught in consultation with the
6 representatives of all communities serving learners with hearing impairments: the
7 learners themselves, parents and families, and constituent communities.
8

9 **(4) Support Services.** All educational institutions shall provide augmentative and
10 alternative communication (computer-aided transcription services, telephone
11 handset amplifiers, assistive listening devices, hearing aids, open and closed
12 captioning, videotext displays, others), properly trained and qualified oral and signed
13 interpreters, notetakers and others.
14

15 **Section 6. Standards for Oral, Sign Language, and Deaf Relay Interpreting.** – The
16 DepED, CHED, National Council on Disability Affairs (NCDA), together with
17 concerned non-government organizations, shall develop a competitive and globally
18 accessible standards for oral, sign language, and deaf relay interpreting involving deaf
19 individuals, teachers with experience in the education of the deaf and parents of the
20 deaf.
21

22 A system of accreditation for interpreting must be established to attain the purposes
23 of this Act.
24

25 **Section 7. Communication Access in Courts, Quasi -Judicial Agencies, and Other**
26 **Tribunals.** – In order to ensure access to justice and protect the right of the deaf and
27 hard-of-hearing to due process, all courts, quasi-judicial bodies, agencies and
28 government institutions conducting investigations and hearings shall ensure the
29 availability of oral and sign language interpreters in all proceedings involving deaf
30 and hard-of-hearing persons.
31

32 The Supreme Court and other concerned agencies shall promote appropriate training
33 for those working in the administration of justice, including hearing and deaf relay
34 interpreters, and other court personnel, and police and prison staff.
35

36 **Section 8. Communication Access in All Workplaces.** – Every office, company,
37 institution and establishment, may it be public or private, shall take all reasonable
38 measures that would provide an environment sensitive and responsive to the
39 communication needs of the Filipino deaf and hard of hearing, including the conduct
40 of deaf awareness and sensitivity training seminars.
41

42 **Section 9. Communication Access in the Public Health System.** – Hospitals and other
43 health facilities, may it be public or private, shall take steps to ensure access of the
44 Filipino deaf and hard of hearing to health services, including the provision of
45 interpreters for deaf and hard of hearing patients.
46

1 **Section 10. Communication Access in Public Transactions, Services and Facilities. -**
2 All national and local government agencies are hereby directed to deliver their
3 services in the most appropriate languages and modes and means of communication
4 for the individual.

5
6 Oral, sign language, and deaf relay interpreting shall be provided whenever necessary
7 or requested in all government offices and during forums, conferences, meetings,
8 cultural events, sports competitions, community affairs, and activities conducted by
9 government agencies.

10
11 **Section 11. Communication Access in Broadcast Media. -** Television stations shall
12 provide communication access through subtitles or signed communication to Filipino
13 deaf and hard of hearing.

14
15 The National Telecommunications Commission (NTC) shall, within a reasonable
16 period upon the effective date of this Act, require closed captioning and/or interpreter
17 insets in news and public affairs programs.

18
19 **Section 12. Advocacy and Promotion of Communication Access. -** The DepEd, CHED,
20 TESDA, ECCD, and other appropriate national and local agencies and concerned non-
21 government organizations, shall take appropriate steps to propagate access to goods,
22 services and facilities. Basic Education institutions that enroll deaf and hard-of-
23 hearing students are urged to use oral or signed communication or both with
24 appropriate alternative and augmentative communication depending on their needs
25 and potentials.

26
27 State Universities and Colleges are directed to undertake research on education and
28 communication access for the deaf and hard of hearing and to include courses on
29 different forms of communication in their inclusive education curriculum.

30
31 The Department of Labor and Employment (DOLE) shall ensure that workplaces and
32 other institutions that employ deaf and hard of hearing persons provide for their
33 communication and information access.

34
35 **Section 13. Implementing Rules. -** The DepEd, CHED, TESDA, ECCD, Professional
36 Regulation Commission (PRC), NCDA, Supreme Court, Department of Justice (DOJ),
37 and other relevant agencies shall, within 30 days after its effective date, promulgate
38 the necessary rules and regulations. For this purpose, all stakeholders of all units in
39 the community serving individuals who are deaf and hard of hearing shall be
40 involved. Also included are teachers with knowledge and experience in all spectra of
41 educational services for learners with hearing loss.

42 **Section 14. Monitoring of the Implementation of the Act. -** The NCDA, in
43 collaboration with representatives of all communities with hearing loss, is hereby
44 tasked to convene an Inter-Agency Committee including individuals and institutions
45 with knowledge and experience in oral, signed, and deaf relay communication and
46 their use, to make an annual assessment of the implementation of this Act. The report

1 of this Inter-Agency Committee shall be transmitted annually to the House Committee
2 on Basic Education and Culture and Senate Committee on Education, Arts, and
3 Culture and published in accessible formats in their respective websites and through
4 other means necessary.

5
6 **Section 15. Appropriations.** – Implementation of this Act shall derive its funding from
7 the 1% appropriations for Persons with Disabilities as provided in the General
8 Appropriations Act.

9
10 **Section 16. Repealing Clause.** – All laws and executive issuances inconsistent with the
11 provisions of this Act are hereby repealed or amended accordingly.

12
13 **Section 17. Separability Clause.** – If any provision of this Act is declared
14 unconstitutional, the same shall not affect the validity and effectiveness of its other
15 provisions.

16
17 **Section 18. Effective Date.** – This Act shall take effect fifteen days after its publication
18 in the Official Gazette or one newspaper of general circulation.

19
20 Approved,