

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Third Regular Session

House Bill No. 6478



Introduced by Congressman Alfredo D. Vargas III

EXPLANATORY NOTE

The 1987 Philippine Constitution provides that:

*"The State shall adopt an **integrated and comprehensive approach to health development** which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the **underprivileged, sick, elderly, disabled, women and children.**" (Article XIII, Section 11)*

Moreover, Article 20 of the United Nations Convention on the Rights of Persons with Disabilities states that:

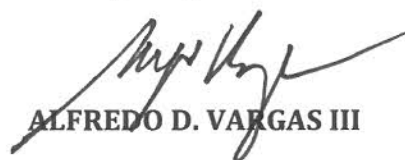
State parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- a. Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;*
- b. Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost.*

The results of the 2010 Census of Population and Housing showed that there are 1,442,586 PWDs in the country, representing 1.53% of the Philippine population. Out of these, the Department of Social Welfare and Development has identified 302,421 poor households with a family member with disability.

To lend a helping hand to our marginalized PWDS and to enable them to participate in economic activities, community affairs, and nation-building, this bill seeks to provide indigent PWDs with free assistive technology devices.

In view of the foregoing, the passage of this bill is earnestly sought.


ALFREDO D. VARGAS III

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House Bill No. **6478**

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AN ACT GRANTING ADDITIONAL PRIVILEGES TO MARGINALIZED PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR PERSONS WITH DISABILITY, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Section 4 of Chapter 1, Title One of Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons," is hereby further amended by inserting new subsections to read as follows:

"SEC. 4. Definition of Terms – For purposes of this Act, these terms are defined as follows:

X X X

(p) **ASSISTIVE TECHNOLOGY** MEANS TECHNOLOGY DESIGNED TO BE UTILIZED IN AN ASSISTIVE TECHNOLOGY DEVICE OR ASSISTIVE TECHNOLOGY SERVICE.

(q) **ASSISTIVE TECHNOLOGY DEVICE** MEANS ANY ITEM, PIECE OF EQUIPMENT, OR PRODUCT SYSTEM, WHETHER ACQUIRED COMMERCIALY, MODIFIED, OR CUSTOMIZED, THAT IS USED TO INCREASE, MAINTAIN, OR IMPROVE FUNCTIONAL CAPABILITIES OF PERSONS WITH DISABILITY. ASSISTIVE TECHNOLOGY DEVICE INCLUDES MOBILITY DEVICES SUCH AS WALKERS AND WHEELCHAIRS, AS WELL AS HARDWARE, SOFTWARE, AND PERIPHERALS THAT ASSIST PERSONS WITH DISABILITY IN ACCESSING COMPUTERS OR OTHER INFORMATION TECHNOLOGIES.

(r) **ASSISTIVE TECHNOLOGY SERVICE** MEANS ANY SERVICE THAT DIRECTLY ASSISTS AN INDIVIDUAL WITH A DISABILITY IN THE SELECTION, ACQUISITION, OR USE OF AN ASSISTIVE TECHNOLOGY DEVICE."

SEC. 2. Section 32 of Chapter 8, Title Two of the same Republic Act No. 7277 is hereby further amended by inserting also a new subsection to read as follows:

“SEC. 32. Persons with disability shall be entitled to the following:

x x x

(I) PROVISION OF FREE ASSISTIVE TECHNOLOGY DEVICE INCLUDING TECHNICAL AIDS, PROSTHETIC AND ORTHOTIC DEVICES OR APPLIANCES PARTICULARLY FOR PERSONAL USE OF ORTHOPEDICALLY-IMPAIRED, HEARING-IMPAIRED, SPEECH IMPAIRED, VISUALLY-IMPAIRED, MENTALLY RETARDED, AND MULTI-HANDICAPPED THAT WILL RESTORE THEIR SOCIAL FUNCTIONING AND PARTICIPATION IN ECONOMIC ACTIVITIES AND COMMUNITY AFFAIRS. PROVIDED, THAT THE BENEFICIARY IS A MARGINALIZED PERSON WITH DISABILITY AS DEFINED IN SECTION 4 (K) OF REPUBLIC ACT NO. 7277, AS AMENDED, AS CERTIFIED BY THE SOCIAL WELFARE AND DEVELOPMENT OFFICE OF THE LOCAL GOVERNMENT UNIT CONCERNED OR THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT.

SEC. 3. *Congressional Fund for Marginalized Persons with Disability.* - There is hereby created a Congressional Fund for Marginalized Persons with Disability in order to carry out the provisions of this Act. The initial fund of Three Hundred Million Pesos (P300,000,000.00) shall be constituted and automatically remitted directly to the Department of Social Welfare and Development from the following sources:

(a) One Hundred Fifty Million Pesos (P150,000,000.00) from the proceeds of Lotto of the Philippine Charity Sweepstakes Office; and

(b) The One Hundred Fifty Million Pesos (P150,000,000.00) from the income of the Philippine Amusement Gaming Corporations.

The Fund shall be administered by the Department of Social Welfare and Development in coordination with the National Council on Disability Affairs.

SEC. 4. *Annual Appropriations* - The amount necessary for the continuing requirements of this Act shall be included in the budget of the Department of Social Welfare and Development in the annual General Appropriations Act following the enactment of this Act.

SEC. 5. *Rules and Regulations.* - The Secretary of Social Welfare and Development shall promulgate such rules and regulations as may be necessary to carry out the objectives of this Act.

SEC. 6. *Repealing Clause.* - All laws, presidential decrees, executive orders, and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation or in the *Official Gazette*, whichever comes first.

Approved,