

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. **5557**



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **National Council on Disability Affairs (NCDA)** (formerly National Council for the Welfare of Disabled Persons or NCWDP) is the national government agency mandated to formulate policies and coordinate the activities of all agencies, whether public or private, concerning disability issues and concerns. As such, the NCWDP is the lead agency tasked to steer the course of program development for persons with disabilities and the delivery of services to the sector.

By virtue of Presidential Executive Order No. 709 issued last February 26, 2008, it redefines the functions and organizational structure of the National Council for the Welfare of Disabled Persons (NCWDP) and renames it as the "National Council on Disability Affairs (**NCDA**)."

NCDA is tasked to monitor the implementation of several laws to ensure the protection of **Persons With Disabilities (PWD)s'** civil and political rights. These laws include the **Republic Act No. 7277** otherwise known as **Magna Carta for Disabled Persons**, Batas Pambansa Blg. 344 or Accessibility Law. Also included are Republic Act 6759 or White Cane Act and ILO Convention No. 159 or the

Vocational Rehabilitation of Persons With Disability. It has also been tasked, through Proclamation No. 125, to coordinate activities and to monitor the observance of the Asian and Pacific Decade of Disabled Persons (1993–2002) in the Philippines. Proclamation No. 125 was issued by the President Fidel V. Ramos on January 15, 1993, to enjoin both the government and the private entities to organize projects based on the policy categories mentioned in the agenda for action of the decade.

NCDA was an attached agency of the **Department of Social Welfare and Development (DSWD)**. However, President Gloria Macapagal Arroyo ordered the Office of the President to further strengthen the government programs for the welfare of persons with disabilities. the President effected the transfer through Executive Order No. 676 to closely monitor and improve the government action and program development for persons with disabilities and delivery of services to the sector

This House Bill seeks to provide **Modernization Funding** to the **National Council on Disability Affairs (NCDA)**, to whose rights and multi-dimensional well- being are fully recognized, respected and promoted towards the attainment of national unity and development.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal line extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 5557

Introduced by Representative Michael L. Romero

AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE **NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA)**, INCREASING AND REORGANIZING ITS ADMINISTRATION, TO STEER THE COURSE OF PROGRAM DEVELOPMENT FOR PERSONS WITH DISABILITIES (**PWDs**) AND THE DELIVERY OF SERVICES TO THE SECTOR AND FOR OTHER PURPOSES

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

SECTION 1. DECLARATION OF POLICY – It shall hereby be a declared policy of the State:

1. To formulate and advocate policies according to internationally and nationally accepted standards in the areas of prevention of the causes of disability, rehabilitation and equalization of opportunities for Persons With Disabilities (**PWDs**).
2. To develop, promote and regularly review the national plan for the prevention, rehabilitation, full participation and equalization of opportunities for persons with disabilities.

3. To coordinate, monitor and evaluate the implementation of policies, plans and programs.
4. To advocate/promote respect for rights and privilege of Persons With Disabilities (**PWDs**).

The state shall formulate policies for the efficient and effective administration and management of all manpower, skills and competencies to ensure compliance.

SECTION 2. MODERNIZATION FUNDING. – The amount of Five Hundred Million Pesos (**Php 500,000,000.00**) for the operation and administration of the **National Council on Disability Affairs (NCDA)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **National Council on Disability Affairs (NCDA)** shall be included in the budget proposals under the Department of Social Welfare and development (**DSWD**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the **National Council on Disability Affairs (NCDA)** in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 3. NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA) MODERNIZATION FUND – There is hereby created the (**NCDA**) *Modernization Fund* to be used exclusively for the (**NCDA**) *Modernization Program*.

The **(NCDA)** *Modernization Fund* shall be administered by the Secretary of the **DSWD** in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 4. PROGRESS REPORT – The Secretary of **DSWD** shall prepare an annual report on the status of the implementation of the **(NCDA)** *Modernization Programs* which shall be submitted, to the Office of the President and to the Chairpersons of the Committee on Social Services of the Senate and the House of Representatives.

SECTION 5. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **National Council on Disability Affairs (NCDA)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 6. POWERS AND FUNCTIONS. – The **National Council on Disability Affairs (NCDA)** shall continue to exercise and uphold the following powers and functions; but not limited to:

To accomplish its mandate, the **NCDA** shall have the following powers, jurisdiction and function:

1. Formulate policies on disability prevention and rehabilitation for the welfare of persons with disabilities.
2. Formulate research and development policies on health, education, labor and social welfare for persons with disabilities.
3. Undertake continuing research and related studies on various topics pertaining to disability prevention, rehabilitation and equalization of opportunities for persons with disabilities.

4. Formulate integrated and comprehensive long and medium-term national plans on the welfare of persons with disabilities.
5. Establish and maintain linkages and networking with local and international organizations, including organization of and for persons with disabilities.
6. Conduct program evaluation and monitoring, consultative meetings and symposia on issues related to disability prevention and rehabilitation.
7. Propose legislation and initiate advocacy programs for the welfare of persons with disabilities.
8. Develop a broad public information and dissemination program on disability prevention, rehabilitation, full participation and equalization of opportunities.
9. Submit periodic reports to the **DSWD** Secretary on activities of the council.
10. Establish and maintain a data bank and referral system on disability prevention, rehabilitation, full participation and equalization of opportunities

SECTION 7. INCREASE OF PERSONNEL. – The shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 8. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 10. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 12. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,