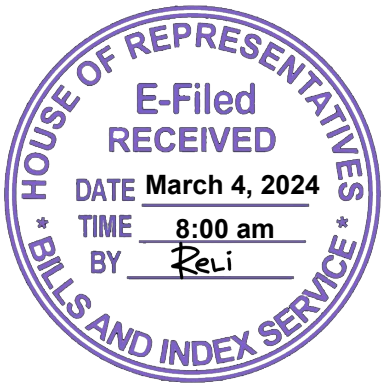
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 10007



Introduced by REPRESENTATIVE LORDAN G. SUAN

EXPLANATORY NOTE

One of the most marginalized and vulnerable groups in the country is the PWD sector. Every day of their life, they encounter discrimination, exclusion, abuse, deprivation, and injustice in a variety of ways.

In 1992, Republic Act 7277, also known as A Magna Carta for Disabled Persons, was passed with the goals of upholding rights, granting privileges, and removing barriers for persons with disabilities to fully integrate into mainstream society. It has undergone several amendments, and many more pieces of legislation have been passed aimed at improving their well-being. After years of implementation, loopholes that undermine the benefits granted by our laws have been identified. One of these is the refusal of establishments to grant the entire 20% discount on promotional rates or prices, and rates offered by third-party service providers. Furthermore, they are only eligible for a 5% discount when purchasing basic and prime commodities.

Living with and providing care for persons with disabilities is more expensive than it is for households without PWD. "Poverty rates are 50% higher in households with children with disabilities and a child with disabilities needs an expenditure that is 40 to 80% higher than children without disabilities," according to a recent UNICEF study carried out in partnership with DSWD and Australian Aid (UNICEF, 2022).

By introducing the following, this bill intends to close the gaps that diminish the effectiveness of our legislative interventions and expand the privileges to reduce the poverty incidence among families living with PWD:

1. a 20% discount and VAT exemption on regular and promotional rates of hotels and lodging establishments, on domestic air and sea travel, and on land transportation, including rates offered by third-party service providers;
2. a 20% discount on water and electricity bills;
3. a 20% discount on tuition and miscellaneous fees in private mainstream educational institutions;
4. a 20% discount on regular and promotional prices of basic and prime commodities; and
5. a monthly allowance of Php1,000.00 per PWD child to an indigent parent or guardian directly taking care of the PWD child.

Given the foregoing, the immediate passage of this bill is earnestly sought.

HON. LORDAN G. SUAN
1st District
Cagayan de Oro City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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HOUSE BILL No. 10007

Introduced by REPRESENTATIVE LORDAN G. SUAN

AN ACT MAXIMIZING THE BENEFITS AND PRIVILEGES GRANTED TO PERSONS WITH DISABILITIES (PWD) AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS "AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES", AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. Section 32 of Republic Act No. 7277, as amended, is hereby further amended to read as follows:

"Section 32. Persons with disability shall be entitled to:

(a) x x x:

(1) On regular and promotional discount fees relative to the utilization of all services in hotels and similar lodging establishments; restaurants and recreation centers, including rates through third-party service providers;

x x x;

(6) On regular and promotional discount fare for domestic air and sea travel, including rates through third-party service providers;

(7) On actual fare for land transportation travel in public utility buses (PUBs), public utility jeepneys (PUJs), taxis, Asian utility vehicles (AUVs), shuttle services, and public railways, including Light Rail Transit (LRT), Mass Rail Transit (MRT), and Philippine National Railways (PNR), and tolls fees in skyways and expressways;

x x x;

(9) On the monthly utilization of water and electricity supplied by public utilities.

(b) Educational assistance to PWD, for them to pursue primary, secondary, tertiary, and post-tertiary, as well as vocational or technical education, in both public and private schools, through the provision of scholarships, grants, financial aid, subsidies, and other incentives to qualified PWD, including support for books, learning materials, and a uniform allowance to the extent feasible. Persons with Disabilities enrolled in a private

mainstream educational institution, primary, secondary, tertiary, or technical, shall enjoy a twenty percent (20%) discount in tuition and miscellaneous fees; *Provided*, that a PWD has the option to choose between the discount provided herein or the financial assistance offered by the private educational institution;

x x x;

(d) the grant of twenty percent (20%) on the purchase of basic and prime commodities and exemption from value-added tax (VAT); *Provided,* that in the purchase of basic and prime commodities on promotional discount, the privilege granted to PWD shall be computed to equal the twenty percent (20%) discount and a deduction of the value-added tax (VAT). For basic and prime commodities on promotional discounts of above twenty percent (20%) of the regular price, the privilege of VAT exemption shall only apply. *Provided, further,* that the total amount of said purchase shall not exceed the amount of Two Thousand Pesos (Php 2,000.00) per calendar week without carryover of the unused amount;

x x x;

[DELETE] "The privileges may not be claimed if the PWD claims a higher discount as may be granted by the commercial establishment and/or under other existing laws or in combination with other discount program/s."

"The establishments may claim the discounts granted in subsection (a), paragraphs (1), (2), (3), (5), (6), (7), (8) and (9), and subsection (d) as tax deductions based on the net cost of the goods sold or services rendered: Provided, however, That the cost of the discount shall be allowed as deduction from the gross income for the same taxable year that the discount is granted: Provided, further, That the total amount of the claimed tax deduction net of value-added tax, if applicable, shall be included in their gross sales receipts for tax purposes and shall be subject to proper documentation and the provisions of the National Internal Revenue Code (NIRC), as amended."

SECTION 3. Section 33 of Republic Act No. 7277, as amended, is hereby further amended to include subsection (c), to read as follows:

SEC. 33. Incentives. – Those caring for and living with a PWD shall be granted the following incentives:

x x x;

"(c) An indigent parent or legal guardian directly caring for a PWD child or PWD children shall receive a monthly allowance of One Thousand Pesos (Php1,000.00) per child to cover the extra cost of caring for children with disabilities. *Provided*, that the child is registered as a PWD and has an issued PWD Identification Card.

SECTION 4. *Implementing Rules and Regulations.* Within thirty (30) days from the effectivity of this Act, the Department of Social Welfare and Development (DSWD), in coordination with the Department of Trade and Industry (DTI), Department of Transportation (DOTR), Department of Tourism (DOT), Department of Finance (DOF),

National Council on Disability Affairs, and other stakeholders, shall formulate the necessary rules and regulations for the effective implementation of this Act.

SECTION 5. *Appropriations.* The amount necessary for the implementation of this Act shall be included in the General Appropriations Act.

SECTION 6. *Separability Clause.* If any provision of this Act is declared invalid or unconstitutional, the provisions not hereby affected shall remain in full force and effect.

SECTION 7. *Repealing Clause.* All laws, decrees, orders, rules and regulations or parts thereof, inconsistent with or contrary to the provisions of this Act are repealed, amended or modified, accordingly.

SECTION 8. *Effectivity.* This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or a website provided for by law.

Approved,