

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

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11445



Introduced by **ANG PROBINSYANO**
Partylist Representative Alfred Delos Santos

EXPLANATORY NOTE

According to the National Council on Disability Affairs, the population of Persons with Disabilities (PWDs) in the Philippines is estimated to be around 1.8 million.¹ Despite various legislative measures aimed at promoting their welfare, such as the Constitution (Article XIII Section 11) and Republic Act No. 7227 or the "Magna Carta of Disabled Persons," PWDs still face significant difficulties.

During the pandemic, the employment conditions for PWDs deteriorated significantly. The labor force participation rate among PWDs saw a substantial decline, dropping from 22% in January 2019 to a mere 18% in January 2022.² The decrease highlights the increased challenges faced by PWDs in securing and retaining employment during this period of economic uncertainty and health crisis.

Aside from the limited employment opportunities available to persons with disabilities (PWDs), a significant number of indigent PWDs continue to face financial hardship. In a 2022 report from the Department of Social Welfare and Development (DSWD) on the Pantawid Pamilyang Pilipino Program (4Ps), out of 4,285,531 Pantawid households, 177,284 (4.14%) include individuals with disabilities. Among these households, the majority have members with mental disabilities (29,916 cases), followed by speech disabilities (25,559 cases), and other disabilities (48,793 cases). The statistics reveal that approximately 1 PWD is included in every 25 households benefiting from the DSWD's 4Ps Program.³

PWDs, regardless of their socio-economic status, suffer the same consequences of the barriers to their economic participation and social inclusion. Thus, it is necessary to introduce a universal allowance for all PWDs in the Philippines. The allowance would provide a stable and reliable source of income, thereby alleviating poverty and

¹ <https://ncda.gov.ph>

² Rappler. (n.d.). Persons with disability struggle in the Philippine workforce. Retrieved from <https://www.rappler.com/newsbreak/in-depth/persons-with-disability-struggle-philippine-workforce/>

³ Department of Social Welfare and Development (2022). Monthly Report on Pantawid Pamilyang Pilipino Program Implementation. Retrieved from: <https://pantawid.dswd.gov.ph/wp-content/uploads/2022/10/4Ps-Third-Quarter-2022-Accomplishment-Report.pdf>

reducing economic disparities among PWDs. Ensuring that PWDs can meet their basic needs—including healthcare, nutrition, and housing—would not only improve their living conditions but also enable them to participate more fully in social, cultural, and economic activities. By providing financial support, the allowance would empower PWDs to contribute to and benefit from national development, fostering a more inclusive society. To ensure that the system will not be abused, monitoring mechanisms shall be in place.

Investing in the welfare of PWDs through a universal allowance is anticipated to yield long-term societal benefits. Improved health, education, and economic participation among PWDs would contribute to national productivity and social cohesion. By addressing the root causes of poverty and inequality faced by PWDs, the allowance would promote a more equitable and inclusive society, ensuring that all citizens, regardless of their physical or mental capabilities, can contribute to and benefit from the nation's progress. This approach not only aligns with ethical imperatives but also with practical considerations for sustainable national development.

It is for the foregoing premises that the approval of this bill is earnestly sought.


ALFRED C. DELOS SANTOS

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**AN ACT PROVIDING FOR THE SOCIAL PENSION OF PERSONS WITH
DISABILITY (PWDs), AND APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Social Pension Para sa PWD Act.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms are defined as follows:

(a) Persons with Disabilities are individuals suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being;

(b) Impairment is any loss, diminution or aberration of psychological, physiological, or anatomical structure or function;

(c) Disability shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment;

(d) Handicap refers to a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions or activity, that is considered normal given the age and sex of the individual;

SECTION 4. Coverage. – All PWDs, as verified and certified by the Department of Social Welfare and Development (DSWD) and the National Council on Disability Affairs (NCDA), duly certified as such under the disability assessment and determination system that is based on a human rights approach, shall be covered by the provisions of this Act.

SECTION 5. Disability Support Allowance Program. - A Disability Support Allowance Program shall be established under the Department of Social Welfare and Development (DSWD), in consultation with the National Council on Disability Affairs and representative organizations of persons with disabilities. The Disability Support Allowance Program aims to cover disability related cost of an individual according to what person decides as immediate need, such as but not limited to transportation allowance, nutrition, maintenance medicines, rehabilitation services, temporary human assistance, among others.

The PWD shall be entitled to a monthly social pension from the DSWD amounting to One Thousand pesos (Php 1,000.00), subject to existing government auditing rules and regulations. Provided, a PWD may opt to waive such entitlement through proper procedures and documentation facilitated by the implementing authorities.

SECTION 6. Disability Data Management System. - A Disability Data Management System shall be developed and shall be linked to a Community-Based Monitoring System (CBMS). The system shall incorporate the Disability Identification Cards, issued pursuant to Republic Act No. 7277, as amended, along with other relevant laws, administrative issuances, and local ordinances. The system shall be regularly monitored and verified by the DSWD to ensure that only eligible PWDs are included.

SECTION 7. Penal Provisions. - The penalties shall apply to the following:

- a) Any person who through fraud or misrepresentation applies for, or aids in the application for benefits under this law without being a qualified person with disability entitled thereto shall suffer the following penalties:
 - i. For the first violation, a fine of not less than Twenty-Five Thousand pesos (Php 25,000.00) but not exceeding Fifty Thousand Pesos (Php 50,000.00); and
 - ii. For subsequent violation, a fine of not less than Fifty Thousand pesos (Php 50,000.00) but not exceeding One Hundred Thousand Pesos (Php 100,000.00).
- b) Any person violating any provision of this Act and its implementing rules and regulations, except violations pertaining to Subsection (a) of this Section, shall be penalized with a fine of not less than Fifty Thousand Pesos (Php 50,000.00) but not exceeding One Hundred Thousand Pesos (Php 100,000.00).

SECTION 8. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the NCDA, in consultation with the DSWD and other relevant

government agencies and nongovernment organizations, shall formulate the implementing rules and regulations of this Act.

SECTION 9. *Appropriations and Initial Implementation.* – The necessary amount for the implementation of this Act shall be included in the annual appropriations for the DSWD.

SECTION 10. *Separability Clause.* – If any provision of this Act, or part hereof, is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 11. *Repealing Clause.* – All other laws, presidential decrees, orders, and issuances or portions thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 12. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,