

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2513



Introduced by REP. YSABEL MARIA J. ZAMORA

EXPLANATORY NOTE

This bill seeks to set the validity period of identification cards (IDs) issued to persons with disabilities (PWDs) and standardize the issuance and renewal process thereof.


Under this measure, the validity period of PWD IDs shall be ten (10) years. On the other hand, IDs issued to persons with temporary disabilities shall have a validity period of two (2) years and may be renewed only after a medical reassessment is conducted by an appropriate medical practitioner.

This bill also enumerates the following acts as being punishable under the law: (i) misrepresenting oneself as a PWD; (ii) assisting others in fraudulently obtaining a PWD ID; (iii) forging or creating fake PWD IDs; and (iv) using a deceased PWD's ID, except as permitted by law.

The passage of this measure will help enhance the access of PWDs to benefits and services granted to them under the law, while also preventing misuse and manipulation of the system.

A similar bill has been approved on Second Reading by the House of Representatives during the 19th Congress.

In view of the foregoing, the immediate approval of this measure is earnestly sought.


REP. YSABEL MARIA J. ZAMORA
Lone District, City of San Juan

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AN ACT

PROVIDING FOR VALIDITY PERIODS OF IDENTIFICATION CARDS ISSUED TO PERSONS WITH DISABILITIES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS", AS AMENDED

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

SECTION 1. Chapter 8, Section 32 of Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons as amended by Republic Act No. 9442, is hereby further amended to read as follows:

"SEC. 32. Persons with [disability] **DISABILITIES** shall be entitled to the following:

xxx xxx xxx

The abovementioned privileges are available only to persons with [disability] **PERMANENT OR TEMPORARY DISABILITIES** who are Filipino citizens, **REFUGEES, OR STATELESS PERSONS** upon submission of [any of the following as proof of his/her entitlement thereto:]

[(I)] An identification card issued by the [city or municipal mayor or the barangay captain] **PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) OR A DESIGNATED FOCAL PERSON PERFORMING PDAO FUNCTIONS, DULY SIGNED BY THE CITY OR MUNICIPAL MAYOR** of the place where the persons with [disability] **DISABILITIES** reside[s], **AS PROOF OF THEIR ENTITLEMENT THERETO.**

[(II)] The passport of the persons with disability concerned; or

[(III)] Transportation discount fare Identification Card (ID) issued by the National Council for the Welfare of Disabled Persons (NCWDP).]

THE IDENTIFICATION CARDS (IDs) ISSUED TO PERSONS WITH DISABILITIES SHALL CONFORM TO THE UNIVERSAL DESIGN PRESCRIBED BY THE NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA) AND ADOPTED BY THE LOCAL GOVERNMENT UNITS.

THE IDs ISSUED TO PERSONS WITH PERMANENT DISABILITIES SHALL BE VALID FOR A PERIOD OF TEN (10) YEARS. CONVERSELY, THE IDs FOR PERSONS WITH TEMPORARY DISABILITIES SHALL BE VALID FOR A PERIOD OF TWO (2) YEARS, AND MAY BE RENEWED ONLY UPON COMPLETION OF REASSESSMENT CONDUCTED BY AN APPROPRIATE MEDICAL PRACTITIONER.

THE IDs, AS PROVIDED IN THE PRECEDING PARAGRAPH SHALL BE FREE OF CHARGE, INCLUDING REISSUANCE DUE TO LOSS OR DAMAGE.”

SEC. 2. Section 46 of Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons as amended by Republic Act No. 9442, is hereby further amended to read as follows:

“SEC. 46. Penal Clause. - xxx xxx xxx

(b) Any person who abuses the privileges granted [herein shall be punished with imprisonment of not less than six months or a fine of not less than Five thousand pesos (P5,000.00), but not more than Fifty thousand pesos (P50,000.00), or both, at the discretion of the court.] **UNDER THIS ACT, INCLUDING:**

- 1. MISREPRESENTING THEMSELVES AS PERSONS WITH DISABILITIES;**
- 2. ASSISTING PERSONS WITHOUT DISABILITIES, DIRECTLY OR INDIRECTLY, IN FRAUDULENTLY OBTAINING A PERSONS WITH DISABILITIES ID CARD;**
- 3. FORGING OR CREATING FAKE PERSONS WITH DISABILITIES ID CARDS; OR**
- 4. USING THE ID CARD AFTER THE DEATH OF THE HOLDER EXCEPT AS PROVIDED UNDER SECTION 32 (a) (8) OF REPUBLIC ACT NO. 10754,**

SHALL BE PENALIZED WITH A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN ONE HUNDRED THOUSAND PESOS (P100,000.00), OR IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS BUT NOT MORE THAN TWO (2) YEARS, OR BOTH, AT THE DISCRETION OF THE COURT WITHOUT PREJUDICE TO SUCH OTHER ADMINISTRATIVE, CIVIL, AND CRIMINAL LIABILITY THAT MAY BE INCURRED.”

IF THE OFFENDER IS A PRIVATE INDIVIDUAL, THEY SHALL SUFFER THE PENALTY OF PRISIÓN CORRECCIONAL IN ITS MEDIUM TO MAXIMUM PERIODS AND A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (₱50,000.00) BUT NOT MORE THAN ONE HUNDRED THOUSAND PESOS (₱100,000.00), WITHOUT PREJUDICE TO PROSECUTION UNDER OTHER APPLICABLE LAWS, INCLUDING BUT NOT LIMITED TO ARTICLES 171 AND 172 OF THE REVISED PENAL CODE ON THE FALSIFICATION OF PUBLIC DOCUMENTS.

IF THE OFFENDER IS A PUBLIC OFFICER OR EMPLOYEE WHO, IN THEIR OFFICIAL CAPACITY, KNOWINGLY ISSUES OR FACILITATES THE ISSUANCE OF A FRAUDULENT OR FAKE PWD IDENTIFICATION CARD, THEY SHALL SUFFER THE PENALTY OF PRISIÓN MAYOR IN ITS MINIMUM TO MEDIUM PERIODS, PERPETUAL DISQUALIFICATION FROM PUBLIC OFFICE, AND A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (₱100,000.00) BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS (₱200,000.00), WITHOUT PREJUDICE TO PROSECUTION FOR OTHER APPLICABLE CRIMES UNDER THE REVISED PENAL CODE AND SPECIAL LAWS, INCLUDING THE ANTI-GRAFT AND CORRUPT PRACTICES ACT.

IF THE ACTS OF FALSIFICATION, SALE, DISTRIBUTION, OR USE OF FAKE PWD IDENTIFICATION CARDS ARE COMMITTED THROUGH INFORMATION AND COMMUNICATIONS TECHNOLOGY, INCLUDING BUT NOT LIMITED TO WEBSITES, SOCIAL MEDIA PLATFORMS, MESSAGING APPLICATIONS, OR E-COMMERCE PLATFORMS, THE OFFENDER SHALL BE PROSECUTED AND PENALIZED UNDER REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS THE "CYBERCRIME PREVENTION ACT OF 2012," IN ADDITION TO THE PENALTIES PROVIDED UNDER THIS ACT AND THE REVISED PENAL CODE.

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SEC. 3. The NCDA and the Department of Social Welfare and Development (DSWD) shall, in coordination with the Philippine Statistics Authority, the Department of Health (DOH), the Department of the Interior and Local Government (DILG), the Professional Regulation Commission, and the Department of Information and Communications Technology, strengthen a unified and reliable data base or registry of persons with disabilities, including a Community-Based Monitoring System.

SEC. 4. Within one hundred eighty (180) days from the effectivity of this Act, the NCDA and the DSWD shall, in coordination with the DILG, the DOH, other government agencies and stakeholders, issue the rules and regulations to implement the provisions of this Act.

SEC. 5. If any portion or provision of this Act is declared invalid or unconstitutional, the remainder provisions not affected thereby shall continue to be in full force and effect.

SEC. 6. All laws, decrees, executive orders, proclamations, rules and regulations, ordinances, other issuances or parts thereof, which are inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 7. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,