

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4661



Introduced by: **REPRESENTATIVE ERIC L. OLIVAREZ**

EXPLANATORY NOTE

Article XIII, Section 11 of the Constitution states 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.

Similarly, Republic Act No. 7227, or the "Magna Carta of Disabled Persons," provides for a comprehensive policy for the improvement of the well-being of PWDs, ensuring them equitable access to social services, education, employment, civic participation, and governance. Said law provides all PWDs with privileges such as a 20 percent discount on goods and services, including store purchases, medical and dental care, theater activities, and travel.

According to official World Health Organization (WHO) and United Nations (UN) documents, around 15 per cent of the world's population or estimated 1 billion people, live with disabilities and that these persons with disabilities (PWDs) are recognized as the **world's largest minority group**.

In the Philippines, despite these legal safeguards, PWDs remain among the most vulnerable sectors of society. According to the Philippine Statistics Authority (PSA), poverty incidence among persons aged 15 years and above with disability stood at 14.1 percent in 2023, translating to around 233,000 individuals from PWD families living in poverty. In certain regions, such as MIMAROPA, poverty incidence among PWDs was even higher, reaching 15.5 percent. These figures underscore the economic vulnerabilities faced by PWDs and highlight the urgent need for targeted social protection measures.

To address this gap, this measure seeks to provide a monthly social pension of Two Thousand Pesos (₱2,000.00) for indigent PWDs, to supplement their basic income and support their daily subsistence and medical needs. To ensure effective implementation, the Department of Social Welfare and Development (DSWD), in coordination with the National Council on Disability Affairs (NCDA), shall establish and maintain a comprehensive database of all PWDs to facilitate distribution and monitoring of the program.

By institutionalizing a social pension for indigent PWDs, the State will not only uphold its constitutional mandate to give priority to marginalized sectors but also promote dignity, inclusion, and social equity for persons with disabilities.

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


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

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

SECTION 1. Short Title.- This Act shall be known as the “Social Pension for Indigent
Persons with Disability Act.”

SECTION 2. Declaration of Policy. – It is 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. The State shall provide for the priority needs of the most
vulnerable sectors of society, such as persons with disabilities. Pursuant to this end,
social protection measures such as the grant of a monthly social pension shall be
extended to indigent persons with disabilities.

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

- a. **“Indigent Person”** – refers to a person who has no visible means of income or
support, or whose income may not be sufficient for the subsistence or basic
needs of his /her family, as may be determined by the Department of Social
Welfare and Development (DSWD).
- b. **“Person with Disabilities (PWDs)”** – refer to individuals suffering from
restriction of different abilities as a result of a mental, physical or sensory
disability, impairment, and handicap to perform an activity in the manner
within the range considered normal for a human being.
- c. **“Indigent Person with Disability”** – refers to a person with disability who has
no pension, permanent source of income, or regular support from his /her
relatives to meet his/ her basic needs.
- d. **“Impairment”** – is any loss, diminution, or aberration of psychological,
physiological, or anatomical structure of function.

- iii. Being regarded as having such an impairment.
- f. **“Handicap”** – refers to a disadvantage for a given individual resulting from an impairment or a disability, that limits or prevents the functions of activity, that is considered normal given the age and sex of the individual.

SECTION 4. Coverage. – All indigent PWDs, as verified and certified by the DSWD and the National Council on Disability Affairs (NCDA) shall be covered by the provisions of this Act.

The eligible PWD shall be entitled to a monthly social pension from the DSWD amounting to Two Thousand (₱2,000.00) to augment his/her daily subsistence, subject to existing government auditing rules and regulations.

SECTION 5. Exclusivity of Benefits. — An indigent PWD who has qualified and availed of the Social Pension provided in this Act shall no longer be qualified to receive other similar regular financial assistance from the government. In cases where a PWD is eligible for more than one program, such as the Pantawid Pamilyang Pilipino Program (4Ps), the Social Pension for Senior Citizens, or other national government financial assistance programs, the beneficiary shall elect only one type of assistance, whichever is most applicable, to prevent duplication of benefits.

SECTION 6. Database of PWDs. To implement effectively, a database of all eligible indigent PWDs should be created by the NCDA and DSWD. Renewed efforts must be made to collect comprehensive, accurate and updated information that can be disaggregated according to a wide range of variables as a basis for effective planning and implementation services, and monitoring, and evaluation. The creation and management of this database shall adhere strictly to the standards set forth in Republic Act No. 10173, otherwise known as the “Data Privacy Act of 2012.”

SECTION 6. Policy on PWD Identification Cards. – The issuance of PWD Identification Cards pursuant to Republic Act No. 7277, otherwise known as the “Magna Carta for Persons with Disabilities,” as amended, along with other relevant administrative issuances and local ordinances, shall incorporate the information necessary for the granting of the monthly social pension to eligible PWDs. The issuance of an authentic PWD Identification Card is a prerequisite to qualify as a beneficiary under this Act.

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

- a. Any PWD, or his/her parent or his/her relative of any degree of consanguinity of affinity, or any third person found to be deliberately committing any fraudulent act of enrolling a PWD to the program when said person is not indigent shall suffer the following:
 - i. For the first violation, a fine of not less than Twenty-Five Thousand pesos (₱25,000.00) but not exceeding Fifty Thousand Pesos (₱50,000.00); and
 - ii. For any subsequent violation, a fine of not less than Fifty Thousand Pesos (₱50,000.00) but not exceeding One Hundred Thousand Pesos (₱100,000.00).
- b. Save for the persons enumerated in paragraph a of this Section, any person, natural or judicial, violating any provision of this Act and its Implementing Rules and Regulations (IRR), except violations pertaining to Subsection a of this Section, shall be penalized with fine of not less than Fifty Thousand Pesos (₱50,000.00) but not exceeding One Hundred Thousand Pesos (₱100,000.00). If the violator is a corporation, organization or any similar juridical entity, the officials directly involved and responsible shall be liable therefor.
- c. If any PWD, or his/her parent or his/her relative of any degree of consanguinity of affinity or any third person is found guilty of violating the provisions of this Act and who fails to pay the pertinent fine provided in paragraphs a and b of this Section shall be subject to subsidiary imprisonment for period corresponding to the penalty of

arresto mayor in its maximum period in *lieu* of said fine.

SECTION 8. Appropriations. – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations of the year following its enactment into law and thereafter.

SECTION 9. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the DSWD, in consultation with the NCDA, Department of Interior and Local Government, Department of Health, and other relevant government agencies and non-government organizations, shall issue the necessary rules and regulations to implement the provisions of this Act.

SECTION 10. Report to Congress. – The DSWD and NCDA shall annually submit a report to Congress about the status of the implementation of this Act for the purpose of review and recommendation of additional measures necessary for the attainment of the objectives of this Act

SECTION 11. Suppletory Clause. – The provisions of Republic Act No. 7277, otherwise known as the Magna Carta for Persons with Disabilities,” as amended by Republic Act No. 10754 and Republic Act No. 9442, have suppletory effect to the provisions of this Act.

SECTION 12. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, other provisions not affected thereby shall continue to be in full force and effect.

SECTION 13. Repealing Clause. – All other laws, decrees, executive orders, proclamations, other issuances, rules, and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 14. Effectivity. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulations.

Approved,