



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 9121



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez, and Jude A. Acidre

AN ACT
MANDATING THE ESTABLISHMENT OF PERSONS WITH
DISABILITY AFFAIRS OFFICES (PDAOs) IN ALL LOCAL
GOVERNMENT UNITS, FURTHER AMENDING FOR THE PURPOSE
SECTION 40 OF REPUBLIC ACT NO. 7277, AS AMENDED BY
REPUBLIC ACT NO. 10070, OTHERWISE KNOWN AS AN ACT
ESTABLISHING INSTITUTIONAL MECHANISM TO ENSURE THE
IMPLEMENTATION OF PROGRAMS AND SERVICES FOR PERSONS
WITH DISABILITIES IN EVERY PROVINCE

EXPLANATORY NOTE

More than four decades since the enactment of the country's first disability legislation, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and more than a decade since the Philippines ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the government has undertaken various legislative and policy initiatives to promote the rights and welfare of persons with disabilities.

Among these measures is Republic Act No. 7277, otherwise known as the Magna Carta for Persons with Disabilities, which recognizes the rights of persons with disabilities to rehabilitation, self-development, self-reliance, and full participation in the mainstream of society. Subsequent laws further strengthened these protections, including Republic Act No. 10524, which promotes employment opportunities for persons with disabilities, and Republic Act No. 10754, which expanded the benefits and privileges of persons with disabilities.

In recognition of the need to ensure that programs and services for persons with disabilities are effectively implemented at the local level, Republic Act No. 10070 encouraged local government units (LGUs) to establish Persons with Disability Affairs Offices (PDAOs). These offices are intended to serve as focal points for the implementation of disability-related programs, policy coordination, and the delivery of services to persons with disabilities within their respective jurisdictions.

However, more than a decade since the passage of Republic Act No. 10070, compliance among LGUs remains limited. Records from the National Council on Disability Affairs (NCDA) indicate that only a portion of LGUs have established their respective PDAOs, largely because the creation of these offices remains discretionary and subject to the availability of local funds. As a result, many persons with disabilities continue to experience limited access to programs, services, and institutional support at the community level.

Moreover, reliable and updated data on persons with disabilities remains insufficient. The lack of a standardized and comprehensive database at the local level hampers effective policy formulation, program implementation, and service delivery. This underscores the need to strengthen institutional mechanisms that will ensure the systematic collection of data and the effective coordination of programs for the disability sector.

According to estimates from the World Health Organization (WHO), approximately ten percent (10%) of the population lives with some form of disability. In the Philippines, this translates to millions of individuals who require accessible public services, inclusive development programs, and effective representation in local governance.

To address these, this measure seeks to strengthen the institutional framework for the protection and promotion of the rights and welfare of persons with disabilities by amending Republic Act No. 7277, as amended by Republic Act No. 10070. Specifically, this bill aims to:

1. Mandate the establishment and operation of Persons with Disability Affairs Offices (PDAOs) in all local government units;
2. Provide clear institutional and funding mechanisms for the establishment and operation of PDAOs;
3. Strengthen the functions, coordination mechanisms, and institutional role of PDAOs in the implementation of disability-related laws and programs;

4. Establish a uniform and standardized local database of persons with disabilities linked to a national registry system;
5. Enhance capacity building, policy coordination, and public information efforts for the disability sector; and,
6. Ensure a more responsive and inclusive system of local governance that advances the rights, welfare, and participation of persons with disabilities.

By institutionalizing the establishment of Persons with Disability Affairs Offices in all local government units, the State affirms its commitment to inclusive governance and to ensuring that persons with disabilities are empowered, protected, and fully integrated into the nation's social and economic life.

During the 19th Congress, this bill was also filed and was referred to the Committee on Local Government.

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



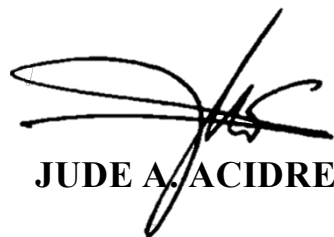
FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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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 “*Persons with Disability Affairs Office (PDAO) in All Local Government Units (LGUs) Act.*”

Section 2. *Amendment of Section 40 of Republic Act No. 7277, as amended.* – Section 40 of Republic Act No. 7277, as amended, is hereby further amended to read as follows **AND RENUMBERED THE SUB-SECTIONS THEREIN ACCORDINGLY:**

Section 40. Role of National Agencies and Local Government Units.

(a) **ALL LOCAL GOVERNMENT UNITS (LGUS) SHALL PROMOTE AND INCLUDE IN THEIR LOCAL PRIORITY PROGRAMS THE ESTABLISHMENT OF A PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) IN THEIR RESPECTIVE TERRITORIAL JURISDICTIONS.** National agencies, civil society organizations, non-government organizations, and international organizations may enter into partnerships with the PDAO and organizations of persons with disabilities to promote livelihood opportunities and other initiatives that will enhance the quality of life and well-being of persons with disabilities.

(b) Local Government Units, **THROUGH THE LOCAL CHIEF EXECUTIVE**, shall organize and establish the following:

(1) **MANDATORY ESTABLISHMENT AND OPERATION OF PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO)**

ALL PROVINCES, CITIES, AND MUNICIPALITIES ARE MANDATED TO ESTABLISH, THROUGH AN ORDINANCE, THEIR RESPECTIVE PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO), WHICH SHALL BE PLACED DIRECTLY UNDER THE OFFICE OF THE LOCAL CHIEF EXECUTIVE (OFFICE OF THE GOVERNOR, CITY, OR MUNICIPAL MAYOR, AS THE CASE MAY BE). The

Local Chief Executive shall appoint a **HEAD OF THE PDAO, SUBJECT TO CONFIRMATION BY THE SANGGUNIAN CONCERNED AND IN ACCORDANCE WITH CIVIL SERVICE RULES ON THE APPOINTMENT OF DEPARTMENT HEADS IN LGUs**. The PDAO shall be responsible for managing and overseeing the **EFFICIENT** operations of the office, pursuant to its mandate under this Act. Priority shall be given to qualified **PERSONS WITH DISABILITIES** to head the said office in carrying out the following functions:

(i) Formulate and implement policies, plans, and programs **INCLUDING BUT NOT LIMITED TO LIVELIHOOD, REHABILITATION, AND SELF-RELIANCE PROGRAMS** to promote the welfare of **PERSONS WITH DISABILITIES** in coordination with concerned national and local government agencies;

(ii) Coordinate and **ENSURE** the implementation of the provisions of this Act, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, **REPUBLIC ACT NO. 10754, OTHERWISE KNOWN AS AN ACT EXPANDING THE BENEFITS AND PRIVILEGES OF PERSONS WITH DISABILITY (PWD)**, and other relevant **DISABILITY-RELATED LAWS OR POLICIES** that may be promulgated thereafter, at the local level;

(iii) Represent **PERSONS WITH DISABILITIES** in meetings of local development councils and other special bodies. **AS SUCH, THE HEAD OF PDAO SHALL CONDUCT AN ANNUAL GENERAL ASSEMBLY AND PERIODIC CONSULTATIONS WITH VARIOUS PERSONS WITH DISABILITY ORGANIZATIONS WITHIN THEIR AREA OF JURISDICTION TO GATHER FEEDBACK AND INSIGHTS ON POLICIES AND PROGRAMS RELATED TO PERSONS WITH DISABILITIES. THESE CONSULTATIONS SHOULD BE CONDUCTED IN A MANNER THAT IS ACCESSIBLE AND INCLUSIVE TO ALL PERSONS WITH DISABILITIES;**

(iv) **RECOMMEND AND ENCOURAGE THE PARTICIPATION OF NON-GOVERNMENT ORGANIZATIONS (NGOs), PEOPLE'S ORGANIZATIONS (POs), AND OTHER PERSONS WITH DISABILITIES ORGANIZATIONS IN MEETINGS RELATED TO THE IMPLEMENTATION OF DISABILITY-RELATED LAWS AND POLICIES. THE PDAO SHALL ALSO CONDUCT REGULAR MEETINGS WITH THESE ORGANIZATIONS TO PROMOTE COOPERATION AND COLLABORATION TOWARDS EFFECTIVE**

IMPLEMENTATION OF THESE LAWS AND POLICIES;

(v) Gather and compile relevant data on **PERSONS WITH DISABILITIES** in their localities;

(vi) **MAINTAIN A UNIFORM AND STANDARDIZED LOCAL DATABASE LINKED TO A NATIONAL REGISTRY FOR PERSONS WITH DISABILITIES (NRPWD) SYSTEM;**

(vii) Disseminate information including, but not limited to, programs and activities for **PERSONS WITH DISABILITIES, AS WELL AS RELEVANT STATISTICS DISAGGREGATED BY GENDER, TYPE OF DISABILITY IN ACCORDANCE WITH THE INTERNATIONAL CLASSIFICATION OF FUNCTIONING, DISABILITY, AND HEALTH (ICF), ADDRESS, EDUCATIONAL ATTAINMENT, EMPLOYMENT STATUS, AND OTHER NECESSARY INFORMATION** including children with disability, and training and employment opportunities for **PERSONS WITH DISABILITIES;**

(viii) Submit **REGULAR** reports to the Office of the Local Chief Executive on the implementation of programs and services for the promotion of welfare of

PERSONS WITH DISABILITIES in their respective areas of jurisdiction. **THESE REPORTS SHALL INCLUDE AN ASSESSMENT OF THE EFFECTIVENESS OF EXISTING PROGRAMS AND SERVICES, AS WELL AS RECOMMENDATIONS FOR IMPROVEMENTS AND FUTURE INITIATIVES;**

(ix) Ensure that the policies, plans and programs for the promotion of welfare of **PEPSONS WITH DISABILITIES** are funded by both the national and local government;

(x) **MONITOR FUNDRAISING ACTIVITIES CONDUCTED FOR THE BENEFIT OF PERSONS WITH DISABILITIES. THE PDAO SHALL ENSURE THAT FUNDRAISING ACTIVITIES ARE CONDUCTED IN A TRANSPARENT AND ACCOUNTABLE MANNER, AND THAT THE PROCEEDS ARE USED SOLELY FOR THE BENEFIT OF PERSONS WITH DISABILITIES. THE PDAO SHALL ALSO ENSURE THAT FUNDRAISING ACTIVITIES ARE CONDUCTED IN COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS;**

(xi) Seek donations in cash or in kind from local or

foreign donors to implement an approved work plan for **PERSONS WITH DISABILITIES**, in accordance with existing laws and regulations. **THE PDAO SHALL ALSO ENSURE THAT ALL DONATIONS RECEIVED ARE PROPERLY ACCOUNTED FOR AND REPORTED IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATION;** and,

(xii) Perform such other functions as may be necessary for the promotion of welfare of **PERSONS WITH DISABILITIES**.

(2) DESIGNATION OF FOCAL PERSONS IN LIEU OF PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO)

In consideration of budget restraints, Local Chief Executives of fourth (4th), fifth (5th), and sixth (6th) class municipalities may, in lieu of a PDAO, designate a Focal Person to perform the functions of the Persons with Disability Affairs Office (PDAO). In appointing a Focal Person, priority **SHALL** be given to a **PERSON WITH DISABILITY** who has experience in providing services to the **DISABILITY SECTOR. HOWEVER, THIS PROVISION SHALL NOT PRECLUDE THE 4TH, 5TH, OR 6TH CLASS MUNICIPALITIES FROM ESTABLISHING A**

PDAO IN THEIR RESPECTIVE AREAS OF JURISDICTION.

The establishment of a PDAO or the appointment of a Focal Person, as the case may be, should be done in coordination and **GUIDANCE** of the **DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, AND NOMINATIONS FROM THE GENERAL MEMBERSHIP OF VARIOUS ORGANIZATIONS OF PERSONS WITH DISABILITY IN THEIR RESPECTIVE TERRITORIAL JURISDICTION.**

Section 3. *Reference as Persons with Disabilities.* – References to the term “Disabled Persons” on the title and other sections of the same Act are hereby amended to read as **PERSONS WITH DISABILITIES.**

Section 4. *Mandatory Implementation of PDAO in All Classes of Municipalities.* – Within three (3) years after the effectivity of this Act, appropriate agencies, headed by the **DILG**, in consultation with the **DSWD**, **NCDA**, and relevant NGOs and Pos, shall review its implementation and recommend to Congress the need to mandate the establishment of a PDAO in 4th, 5th, and 6th class municipalities.

Section 5. *Role of the Department of Interior and Local Government (DILG).* – The Department of Interior and Local Government (DILG) shall establish and maintain a monitoring team solely for the purpose of ensuring the establishment and the effective operations of PDAOs or the appointment of focal

persons, as the case may be, in every local government unit with the following specific functions:

- (a) Ensure the creation, compliance, and implementation of all LGUs in the establishment of PDAOs or the appointment of focal persons in their respective jurisdictions;
- (b) Ensure that the annual budget of every province, city, and municipality includes provisions to fund the establishment and operations of a PDAO or the programs and activities of the focal persons in their respective jurisdiction;
- (c) Provide technical assistance to LGUs such as, but not limited to, capacity building and facilitating a smooth transition from provincial/city/municipal social welfare and development office into a PDAO;
- (d) Establish a minimum standard of policies, plans, and programs aimed at promoting the empowerment, rights, and welfare of persons with disabilities;
- (e) Incorporate the presence and functionality of PDAO and their programs as indicators monitored through the Local Governance Performance Management System (LGPMS) and Seal of Good Governance (SGLG);
- (f) Incentivize or recognize the effectiveness and performance of PDAO or the focal person, and integrate this as a key factor in assessing the performance of local government units through the LGPMS or SGLG programs;
- (g) Coordinate with other national agencies regarding concerns of persons with disabilities within the LGU; and,
- (h) Initiate and conduct immediate investigation of LGUs that are non-compliant with the establishment and effective operation of PDAOs or

focal persons, and recommend appropriate action without delay.

The DILG Secretary is granted the authority to restructure its internal organizational framework as deemed necessary to efficiently and effectively fulfill the objectives of this provision.

Section 6. *Creation of a Database Management System.* – All PDAOs in every province, city, and municipality under the supervision of the DILG, and subject to the requirements of the data privacy laws, are hereby authorized and required to create, collect, and maintain a uniform and standardized local database of persons with disabilities linked to a National Registry for Persons with Disabilities (NRPWD) System. The DILG, DOST, and DOH are mandated to facilitate the creation and implementation of a uniform local database for persons with disabilities with categories such as gender, type of disability in accordance with the International Classification of Functioning, Disability, and Health (ICF), address, educational attainment, employment status, and other relevant information.

Section 7. *Establishment of a Uniform Persons with Disability Identification (PWD ID) System.* – The data gathered under the immediately preceding section shall serve as the basis for establishing a uniform PWD ID system across the country: *Provided, however,* That the issuance of PWD ID shall be based on a medical abstract issued by a licensed medical doctor. Medical examinations for the purpose of classifying the disability of a PWD shall be free of charge from both public or private licensed medical doctors.

Section 8. *Appropriations.* – The amount necessary to fund the implementation of this Act shall be included in the General Appropriations Act

(GAA) under the DILG.

To effectively achieve the objectives of this Act, every province, city, and municipality shall allocate the necessary funds from their annual budget for programs, projects, and activities (PPA) for persons with disabilities, which must be included in their respective annual investment plans (AIPs). Failure to provide the appropriations and inclusion of PPAs for Persons with Disabilities in the LGU's AIP shall render the annual budget inoperative. Any attempt to enforce an invalid annual budget shall constitute sufficient grounds for the suspension or dismissal of the official or employee concerned by court order.

Section 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the DILG, in coordination with the Department of Social Welfare and Development (DSWD), National Council on Disability Affairs (NDCA), Department of Health (DOH), Commission on Human Rights (CHR), and Civil Service Commission (CSC), shall promulgate and issue the necessary guidelines for the mandatory establishment of PDAOs in all LGUs.

Section 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Section 11. *Separability Clause.* – If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 12. *Effectivity Clause.* – This Act shall take effect after fifteen (15)

days following its complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,