

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

NINETEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. **4211**



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Introduced by  
**REPRESENTATIVE FRANZ S. PUMAREN**

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### **EXPLANATORY NOTE**

According to a World Bank study on disability, an estimated one billion people, or 15 percent of the world's population live with some form of disability.<sup>1</sup> In the Philippines, according to the 2016 National Disability Prevalence Survey (NDPS), around 12 percent of Filipinos age 15 or older experienced severe disability. Furthermore, 47 percent experienced moderate disability while 23 percent has mild disability. According to the World Health Organization (WHO), Persons with Disabilities (PWD) are the world's largest minority.<sup>2</sup> Needless to say, the pervasiveness of disability tends to occur higher in developing countries, and in the lower socioeconomic strata of the population.<sup>3</sup>

Not less than the Constitution (Article XIII Section 11) provides safeguards for the welfare of PWDs stating that "[t]he 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" provide 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 privileges such as 20 percent discount on all goods and services such as store purchases, medical and dental care, theater activities, and travel.

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<sup>1</sup> Disability Inclusion. *World Bank*. <https://www.worldbank.org/en/topic/disability>.

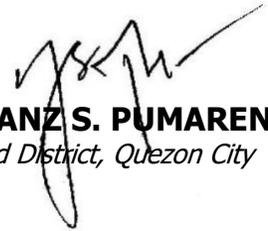
<sup>2</sup> Disability and Health. *World Health Organization*. <https://www.who.int/en/news-room/fact-sheets/detail/disability-and-health>.

<sup>3</sup> Disability and Poverty in the Philippines. *The Borgen Project*. <https://borgenproject.org/disability-and-poverty-in-the-philippines>.

Despite this, PWDs still experience discrimination most especially in accessing basic social services in addition to the stigma they experience because of their disabilities. Disability may also increase the risk of poverty because of a lack of opportunities for employment and education, discrimination through lower wages, and increased cost of living. Inextricably, poverty may increase one's risk of disability through inadequate access to health care and education, unsafe working conditions, and lack of access to sanitation.<sup>4</sup>

It is the objective of this bill to provide a mechanism for PWDs to be granted a monthly social pension amounting to Two thousand pesos (Php 2,000) disability allowance to supplement the basic income and provide support for expenses to lighten the burden suffered by PWDs and their families. The Department of Social Welfare and Development (DSWD) and the National Council on Disability Affairs (NCDA) shall make sure that a database of all PWDs is created to ensure that social pensions are effectively distributed and that the system for implementing the provisions of this measure is properly monitored.

Given the foregoing, the passage of this measure is earnestly sought.



**FRANZ S. PUMAREN**  
*3rd District, Quezon City*

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<sup>4</sup> Disability Inclusion. *Ibid.*

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**AN ACT  
PROVIDING FOR THE SOCIAL PENSION OF  
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 priority needs of vulnerable sectors such as persons with disabilities. In pursuance of this end, social protection measures such as the grant of 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. "Persons 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.
- e. "Disability" refers to:
  - i. A physical or mental impairment that substantially limits one or more psychological, physiological, or anatomical functions of an individual or activities of such individual;
  - ii. A record of such an impairment; or
  - 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 or 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 pesos (Php 2,000.00) to augment his/her daily subsistence, subject to existing government auditing rules and regulations.

**SECTION 5. 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 pre-requisite 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 or 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 (Php 25,000.00) but not exceeding Fifty thousand pesos (Php 50,000.00); and
  - ii. For any subsequent violation, a fine of not less than Fifty thousand pesos (Php50,000.00) but not exceeding One hundred thousand pesos (Php 100,000.00).
- b. 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 a fine of not less than Fifty thousand pesos (Php 50,000.00) but not exceeding One hundred thousand pesos (Php 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 or affinity or any third person fails to settle the fines specific on Subsections a and b of this Section, the penalty of aresto mayor in its maximum period shall be imposed.

**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. 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 11. 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 12. 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 13. 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 circulation.

*Approved,*