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SENATE
S.B. No. **2387**

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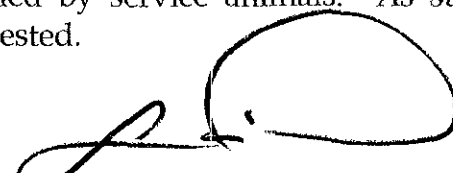
Introduced by Senator Manuel "Lito" M. Lapid


AN ACT
RECOGNIZING AND PROTECTING THE RIGHTS OF PERSONS WITH
DISABILITIES ACCOMPANIED BY SERVICE ANIMALS

In 1992, the Philippine Legislature passed the Magna Carta for Disabled Persons. In 2013, the Philippines became a signatory to the United Nations Convention on Rights of Persons with Disabilities. These two actions show the country's commitment to achieve the full realization of rights of persons with disabilities.

Nevertheless, there are no existing laws recognizing and providing for the rights of persons with disabilities accompanied by service animals. Without such a law, persons with disabilities accompanied by service animals do not have full access to employment, transportation, and public accommodation and services by virtue of company or even government policies against animals inside establishments. This in turn prejudices persons with disabilities accompanied by service animals from fully enjoying their rights under the Magna Carta for Disabled Persons.

This bill aims to address the lack in legislation recognizing and protecting the rights of persons with disabilities accompanied by service animals. As such, the immediate passage of this bill is therefore requested.


MANUEL "LITO" M. LAPID
Senator

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AN ACT
RECOGNIZING AND PROTECTING THE RIGHTS OF PERSONS WITH
DISABILITIES ACCOMPANIED BY SERVICE ANIMALS

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

1 **SECTION 1. Title.** – This Act shall be known and cited as the “**Service Animals**
2 **Act of 2014**”

3
4 **SECTION 2. Declaration of Policy.** – The grant of the rights and privileges for
5 persons with disabilities accompanied by service animals shall be guided by the
6 following principles:

7
8 (a) Persons with disabilities accompanied by service animals are part of the
9 Philippine society, and thus the State shall give full support to the
10 improvement of their wellbeing and their integration into the
11 mainstream of society. Toward this end, the State shall adopt policies
12 ensuring the self-development and self-reliance of persons with
13 disabilities accompanied by service animals.

14 (b) Persons with disabilities accompanied by service animals shall have the
15 same rights as other people to take their proper place in society. They
16 should be able to live freely and as independently as possible.

17 (c) The State shall exert all efforts to remove all social, cultural, economic, and
18 environmental, and attitudinal barriers that are prejudicial to persons
19 with disabilities accompanied by service animals.

20
21 **SECTION 3. Coverage.** – This Act shall cover all persons with disabilities
22 accompanied by service animals, and to the extent herein provided, departments, offices,
23 and agencies of the government, non-government organizations, and private
24 corporations necessary for the attainment of the objectives of this Act.

25

1 **SECTION 4.** Definition of Terms. – For purposes of this Act, these terms are
2 defined as follows:

- 3 (a) Persons with disabilities are those suffering form restriction or different
4 abilities, as a result of a mental, physical or sensory impairment, to
5 perform an activity in the manner or within the range considered normal
6 for a human being;
- 7 (b) Impairment is any loss, diminution, or aberration of psychological,
8 physiological, or anatomical structure or function;
- 9 (c) Disability shall mean 1) physical or mental impairment that substantially
10 limits one or more psychological, physiological or anatomical function of
11 an individual or activities of such an individual; 2) a record of such an
12 impairment; or 3) being regarded as having such an impairment;
- 13 (d) Service animals refer to animals that are individually trained to do work or
14 perform tasks for people with disabilities. The work or task a service
15 animal has been trained to provide must be directly related to the
16 person’s disability certified as such by the National Council on Disability
17 Affairs;
- 18 (e) Discrimination refers to 1) any act defined as discrimination under the
19 Magna Carta for Disabled Persons performed against a person with
20 disability accompanied by a service animal, by virtue of the presence of
21 the service animal; or 2) any act isolating or treating less favorably any
22 person with disability accompanied by a service animal, by virtue of the
23 presence of the service animal

24
25 **SECTION 5.** Use of Service Animals. – All departments, offices, and agencies of
26 the government, non-government organizations, and private corporations, businesses
27 and establishments are required to allow service animals to accompany persons with
28 disabilities in all areas of the facility where the public is normally allowed to go; provided
29 that the service animals must be harnessed leashed, or tethered, unless these devices
30 interfere with the service animal’s work or the individual’s disability prevents using these
31 devices. In the latter case, the individual must maintain control of the service animal
32 through voice, signal, or other effective tools.

33
34 **SECTION 6.** Prohibited Acts. – All departments, offices, and agencies of the
35 government, non-government organizations, and private corporations, businesses and
36 establishments, and any person, directly or indirectly, alone or with another, by himself
37 or herself or by the interposition of another, are prohibited from the following:

- 1 (a) Denying access or refusing service to any person with disability
2 accompanied by a service animal the accommodation, services, or
3 facilities available in any place to which the public is customarily
4 admitted;
- 5 (b) Discriminate against any person with disability accompanied by a service
6 animal, with respect to the accommodation, services, or facilities
7 available in any place to which the public is customarily admitted, or the
8 charges for the use of them;
- 9 (c) Deny to any person with disability accompanied by a service animal the
10 occupancy of any dwelling unit;
- 11 (d) Discriminate against any person with disability accompanied by a service
12 animal, with respect to any term or condition of occupancy of any
13 dwelling unit;
- 14 (e) Discriminate against any person with disability accompanied by a service
15 animal with respect to employment, transportation, and use of other
16 public accommodations and services;
- 17 (f) Asking any person with disability to remove the service animal from the
18 premises unless
- 19 (i) The service animal is out of control and the handler does not take
20 effective action to control it; or
- 21 (ii) The dog is not housebroken.

22 When any of the aforementioned legitimate reasons are present, the staff
23 must offer the person with disability the opportunity to obtain goods or
24 services without the animal's presence;

25

26 **SECTION 7. Responsibilities of the Person with Disability Accompanied by a**
27 **Service Animal.** - A person with disability accompanied by a service animal is
28 responsible for the following:

- 29 (a) Paying for any damage caused by the service animal in an establishment;
- 30 (b) Providing care and/or food for the service animal while in an establishment.
- 31

32 **SECTION 8. Certification of Service Animals.** - The National Council on Disability
33 Affairs shall formulate a speedy and convenient process for the certification of service
34 animals all over the country at the least cost, provided that certification of service animals
35 for indigent persons with disabilities shall be free upon a showing of such indigence.

36

37 **SECTION 9. Implementing Rules and Regulations.** - The National Council on
38 Disability Affairs in coordination with the Department of Labor and Employment, the

1 Department of Social Welfare and Development, the Department of Transportation and
2 Communications and the Department of Public Works and Highways shall formulate the
3 rules and regulations necessary to implement the provisions of this Act.

4
5 **SECTION 10.** Suppletory Application. - This Act shall suppletorily apply to the
6 Magna Carta for Disabled Persons;

7
8 **SECTION 11.** Penal Clause. - Any violation of the provisions set out in this Act
9 shall be considered a form of discrimination under the Magna Carta for Disabled Persons
10 and those found who are guilty thereof will suffer the same penalty.

11
12 **SECTION 12.** Appropriations. - The amount necessary to carry out the provisions
13 of this Act shall be included in the General Appropriations Act of the year following its
14 enactment into law and thereafter.

15
16 **SECTION 13.** Separability Clause. - Should any provisions of this Act be found
17 unconstitutional by a court of law, such provisions shall be severed from the remainder of
18 this Act, and such action shall not affect the enforceability of the remaining provisions of
19 this Act.

20
21 **SECTION 14.** Repealing Clause. - All laws, presidential decrees, executive orders
22 and rules and regulations inconsistent with the provisions of this Act are hereby repealed
23 or modified accordingly.

24
25 **SECTION 15.** Effectivity. - This Act shall take effect fifteen (15) days after its
26 publication in any two (2) newspaper of general circulation.

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Approved,