



SENATE

S. No. 1506

20 MAY -4 P 4:57

Introduced by Senator Manuel "Lito" M. Lapid

**AN ACT
PROVIDING FOR THE SOCIAL PENSION OF INDIGENT PERSONS WITH
DISABILITY, AND PROVIDING FUNDS THEREFOR**

EXPLANATORY NOTE

Based on the last National Disability Prevalence Survey¹ conducted in 2016, disability prevalence in the Philippines was recorded at 12 percent of Filipinos age 15 and older. It was also reported that almost one in every two (47%) experienced moderate disability while 23 percent with mild disability. Almost one-fifth (19%) experienced no disability. The results were worse in older generations with almost one-third of populations age 60 or older are afflicted with severe disability. With this high percentage of persons with disability, there is indeed a need for more social protection measures granted to members of this vulnerable sector of society.

Republic Act No. 7277, otherwise known as the "Magna Carta for Persons with Disabilities," along with the amendments to the said law, is a testament to the importance and priority accorded by the government to the specific problems and conditions of persons with disabilities (PWDs). However, changing conditions and circumstances that have occurred in the PWD sector since the enactment of these laws require that the privileges and benefits granted under them are constantly updated and refined. This bill is being proposed in response to this objective.

This bill seeks to provide a monthly social pension benefit amounting to Php 2,000 in favor of indigent PWDs, as verified and certified by the Department of

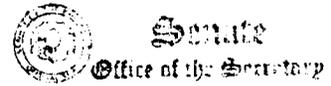
¹<https://psa.gov.ph/ndps/disability-survey-id/138567>

Social Welfare and Development (DSWD) and the National Council on Disability Affairs (NCDA). To effectively implement the distribution of the monthly social pensions, a database of all PWDs should be created by the NCDA and DSWD. Renewed efforts must be made to collect comprehensive, accurate and update 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 provision of this monthly social pension is primarily aimed at supporting the expenses of and easing the financial burdens suffered by indigent PWDs and their families.

In view of this, early passage of this bill is sought.



MANUEL "LITO" M. LAPID
Senator



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

1 SECTION 1. *Short Title.* – This Act shall be known as "Monthly Social Pension
2 for Indigent Persons with Disability Act."
3

4 Section 2. *Declaration of Policy.* – It is the policy of the State to promote a
5 just and dynamic social order that will ensure the prosperity and independence of
6 the nation and free the people from poverty through policies that provide adequate
7 social services, promote full employment, a rising standard of living, and an
8 improved quality of life for all. The State shall provide priority to the needs of
9 vulnerable sectors such as persons with disabilities. In pursuance of this end, social
10 protection measures such as the grant of monthly social pension shall be extended
11 to indigent persons with disabilities.
12

13 Section 3. *Definition of Terms.* – For purposes of this Act, these terms are
14 defined as follows:

- 15 a. *Persons with Disabilities (PWDs)* are those suffering from restriction of
16 different abilities, as a result of a mental, physical or sensory impairment, to

1 perform an activity in the manner or within the range considered normal for a
2 human being;

3 b. *Indigent Person with Disability* refers to a person with disability who is frail,
4 sickly, and without pension or permanent source of income, or regular
5 support from his/her relatives to meet his/her basic needs.

6 c. *Impairment* is any loss, diminution or aberration of psychological,
7 physiological, or anatomical structure of function;

8 d. *Disability* refers to (1) a physical or mental impairment that substantially limits
9 one or more psychological, physiological or anatomical function of an
10 individual or activities of such individual; (2) a record of such an impairment;
11 or (3) being regarded as having such an impairment;

12 e. *Handicap* refers to a disadvantage for a given individual resulting from an
13 impairment or a disability, that limits or prevents the functions or activity, that
14 is considered normal given the age and sex of the individual
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16 Section 4. *Coverage*. – All indigent PWD, as verified and certified by the
17 Department of Social Welfare and Development (DSWD) and the National Council on
18 Disability Affairs (NCDA) shall be covered by the provisions of this Act.

19 The eligible PWD shall be entitled to a monthly social pension from the DSWD
20 amounting to Two thousand pesos (Php 2,000.00) to augment his/her daily
21 subsistence, subject to existing government auditing rules and regulations: Provided,
22 that the social pension may be waived if the PWD is capable of supporting his/her
23 own self or his/her family as certified by the DSWD Field Office concerned.
24

25 Section 5. *Database of PWDs*. – To implement effectively, a database of all
26 PWDs should be created by the NCDA and DSWD. Renewed efforts must be made to
27 collect comprehensive, accurate and update information that can be disaggregated
28 according to a wide range of variables as a basis for effective planning and
29 implementation services, and monitoring and evaluation. The creation and
30 management of this database shall adhere strictly to the standards set forth in
31 Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012."

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

9
10 Section 7. *Penal Provisions.* – The penalties shall apply to the following:

11 a. Any PWD, or his/her parent or his/her relative of any degree of
12 consanguinity or affinity, or any third person found to be deliberately
13 committing any fraudulent act of enrolling a PWD to the program when
14 said person is not indigent shall suffer the following:

15 i. For the first violation, a fine of not less than Twenty-five
16 thousand pesos (Php 25,000.00) but not exceeding Fifty
17 thousand pesos (Php 50,000.00); and

18 ii. For any subsequent violation, a fine of not less than Fifty
19 thousand pesos (Php 50,000.00) but not exceeding One
20 hundred thousand pesos (Php 100,000.00).

21 b. Any person, natural or juridical, violating any provision of this Act and
22 its IRR, except violations pertaining to Subsection a of this Section,
23 shall be penalized with a fine of not less than Fifty thousand pesos
24 (Php 50,000.00) but not exceeding One hundred thousand pesos (Php
25 100,000.00). If the violator is a corporation, organization or any similar
26 juridical entity, the officials directly involved and responsible shall be
27 liable therefor.

28
29 Section 8. *Appropriations.* - The amount necessary for the implementation of
30 this Act shall be included in the annual General Appropriations of the year following
31 its enactment into law and thereafter. An initial amount of Two Billion pesos (Php
32 2,000,000,000.00) shall be allocated for the first year of its operation.

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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. *Repealing Clause.* —All laws, presidential decrees, executive orders, proclamations, rules and regulations, or any part thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 13. *Separability Clause.* – If any provision or part of this Act, or the application thereof to any person or circumstance, is held unconstitutional or invalid, the remainder of this Act shall not be affected thereby.

Section 14. *Effectivity Clause.* — 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,