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SENATE
P.S. Res. No. 996

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Introduced by Senator MARK A. VILLAR

RESOLUTION
URGING THE APPROPRIATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION, ON THE ALLEGED IMPROPER USAGE AND PROLIFERATION OF ONLINE SELLING OF FAKE PWD IDENTIFICATION CARDS (PWD-ICS), WITH THE END VIEW OF PROTECTING MICRO, SMALL AND MEDIUM ENTERPRISES (MSMES).

1 **WHEREAS**, as amended by Republic Act No. 10754, or the "Magna Carta for
2 Persons with Disability" provides a twenty percent (20%) discount and exemption from
3 the value-added tax (VAT), on the sale of goods and services, as well as educational
4 assistance to PWD, special discounts on purchase of basic commodities, and provision
5 of express lanes in all commercial and government establishments for the exclusive
6 use and enjoyment or availment of PWDs.

7 **WHEREAS**, under the same law, the abovementioned privileges are available
8 only to PWDs who are Filipino citizens, upon presentation of an identification card
9 issued by the city or municipal mayor or the barangay captain of the place where the
10 PWD resides, the passport of the PWD concerned, or the transportation discount fare
11 ID issued by the National Council for the Welfare of Disabled Persons (NCWDP).

12 **WHEREAS**, as a result of the Motu Proprio Investigation conducted by the
13 House of Representatives early this year, the Department of Trade and Industry (DTI),
14 together with Department of Agriculture (DA) and Department of Energy (DOE),
15 signed a joint administrative order (JAO) on 21 March 2024, revising the rules on
16 granting special discounts to senior citizens and PWDs on the purchase of basic
17 necessities and prime commodities (BNPC). This increases the special discount for
18 senior citizens and PWDs on BNPC purchases from PHP 65 to PHP 125 per week,
19 subject to review every five years.

20 **WHEREAS**, pursuant to Republic Act No. 9442, which amended Republic Act
21 No. 7277, any person who abuses the privileges granted in the law will be punished

1 with imprisonment of not less than six (6) months or a fine of not less than five
2 thousand pesos (P5,000.00), but not more than fifty thousand pesos (P50,000.00), or
3 both, at the discretion of the court. While persons selling online fake PWD-ICs may be
4 held liable for violating Article 172 or the Falsification by Private Individuals and Use
5 of Falsified Documents in relation to Republic Act No. 10175 or the Cybercrime
6 Prevention Act of 2012.

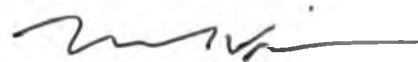
7 **WHEREAS**, despite the foregoing, media outlets have reported the entrapment
8 and arrest of two (2) individuals charged with the alleged falsification of PWD-ICs,
9 who are selling the same online for residents of Quezon City (QC). In a subsequent
10 interview, the head of Persons with Disability Affairs Office (PDAO) of the same city
11 revealed that they have previously made numerous confiscations of fake PWD-ICs.
12 Last year, the QC PDAO also reported that through their stricter verification process,
13 it was discovered that of the seven thousand (7,000) rejected applicants, most of them
14 used fake medical certificates.

15 **WHEREAS**, another predicament relative to the implementation of the laws, is
16 the difficulty, if not impossibility, for business owners' to verify the validity of the PWD-
17 ICs, such as the lack of an easily accessible central or even local data bases to check
18 whether the PWD-ICs presented to them was legitimately issued or at least a security
19 features or labels that will apprise them of its authenticity.

20 **WHEREAS**, the issues hounding the issuance of illegal and counterfeit PWD-
21 ICs are dangerous as they pervert and defeat the noble purpose of the laws providing
22 special accommodations to qualified PWDs. Equally important is its adverse effect to
23 the business sector, especially micro, small, and medium enterprises, who stand to
24 suffer the consequences of the irregular, improper and unlawful availment of this
25 privilege.

26 **NOW, THEREFORE BE IT RESOLVED**, as it hereby resolved, that the
27 appropriate Senate Committee, with the assistance of relevant government agencies
28 and stakeholders, conduct an inquiry in aid of legislation to review the implementation,
29 enforcement and monitoring gaps of the existing laws on the issuance of PWD-ICs.

Adopted,



MARK A. VILLAR