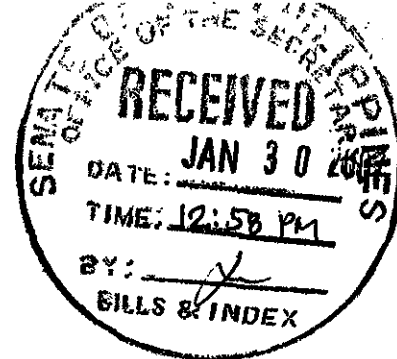


THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

COMMITTEE REPORT NO. 230

Submitted by the Committee on Social Justice, Welfare and Rural Development on
JAN 30 2007

RE : Senate Bill No. 2580, prepared by the Committee

Recommending its approval in substitution of Senate Bill Nos. 34, 675, 906, 1124, 1376,
1536 and 1982, taking into consideration House Bill No. 1214

Sponsor : Senator Sergio Osmeña III

MR. PRESIDENT:

The Committee on Social Justice, Welfare and Rural Development to which were
referred Senate Bill No. 34, introduced by Sens. Flavio and Angara, entitled

**"AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS
WITH DISABILITY, AMENDING FOR THE PURPOSE, THE MAGNA
CARTA FOR DISABLED PERSONS"**

Senate Bill No. 675, introduced by Sen. Villar, entitled:

**"AN ACT GRANTING OTHER PRIVILEGES AN INCENTIVES TO PERSONS
WITH DISABILITY, AMENDING FOR THE PURPOSE, THE MAGNA
CARTA FOR DISABLED PERSONS"**

Senate Bill No. 906, introduced by Sen. J. Ejercito-Estrada, entitled:

**"AN ACT AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS
THE MAGNA CARTA FOR DISABLED PERSONS, GRANTING
ADDITIONAL PRIVILEGES AND INCENTIVES TO DISABLED PERSONS
SIMILAR TO THOSE ENJOYED BY SENIOR CITIZENS AND OTHER
PURPOSES"**

Senate Bill No. 1124, introduced by Sen. Pimentel, entitled:

**"AN ACT GRANTING PRIVILEGES AND INCENTIVES TO DISABLED
PERSONS, AMENDING FOR THE PURPOSE, THE MAGNA CARTA FOR
DISABLED PERSONS"**

Senate Bill No. 1376, introduced by Sen. Recto, entitled:

"AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSES THE MAGNA CARTA FOR DISABLED PERSONS"

Senate Bill No. 1536, introduced by Sen. Magsaysay Jr, entitled:

"AN ACT GRANTING DISABLED PERSONS THE RIGHT TO LIVE FREE FROM VERBAL AND NON-VERBAL RIDICULE AND VILIFICATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED SEVENTY-TWO HUNDRED AND SEVENTY SEVEN, ALSO KNOWN AS THE MAGNA CARTA FOR DISABLED PERSONS AND FOR OTHER PURPOSES"

Senate Bill No. 1982, introduced by Sen. Angara, entitled:

"AN ACT GRANTING ADDITIONAL BENEFITS AND PRIVILEGES TO DISABLED PERSONS AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277; OTHERWISE KNOWN AS THE 'MAGNA CARTA FOR DISABLED PERSONS' AND FOR OTHER PURPOSES"

taking into consideration House Bill No. 1214, introduced by Representatives Villar, Dumarpa, Aguja, Magtubo, Chatto, Velarde, Amin, Codilla, Olaño, Villarosa, Joaquin, Gullas, Valencia, Angara and Villafuerte, entitled

"AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES FOR PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE THE MAGNA CARTA FOR DISABLED PERSONS"

have considered the same and has the honor to report them back to the Senate with the recommendation that the attached SB No. 2580, prepared by the Committee, entitled

"AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY AND GRANTING THEM THE RIGHT TO LIVE FREE FROM VERBAL AND NON-VERBAL RIDICULE AND VILIFICATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS AND FOR OTHER PURPOSES"

be approved in substitution of Senate Bill Nos. 34, 675, 906, 1124, 1376, 1536 and 1982, taking into consideration House Bill No. 1214, with Senators Flavio, Angara, Villar, Estrada (J.), Pimentel, Recto, Magsaysay and Osmeña as authors thereof.

Respectfully submitted:



SERGIO OSMEÑA III

Chairman

Committee on Social Justice, Welfare and Rural Development

JUAN FLAVIER

Vice Chairman



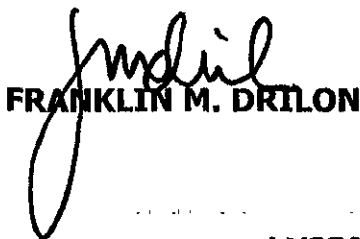
M.A. MADRIGAL

Vice Chairman

Members:

RAMON MAGSAYSAY, JR

MANUEL "LITO" M. LAPID



FRANKLIN M. DRILON



"COMPANERA" PIA S. CAYETANO

LUISA "LOI" EJERCITO ESTRADA

Ex Officio Members:



JUAN M. FLAVIER

President Pro Tempore



FRANCIS N. PANGILINAN

Majority Floor Leader



AQUILINO Q. PIMENTEL, JR.

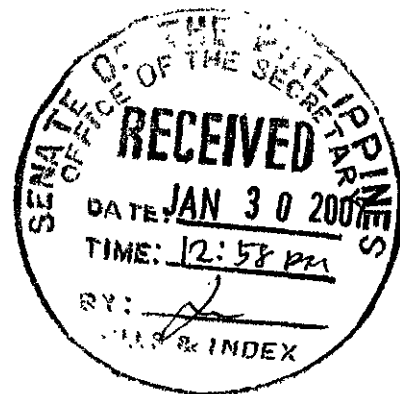
Minority Floor Leader

HON. MANNY VILLAR

Senate President

Pasay City

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. No. 2580

*(In substitution of S. Nos. 34, 675, 906, 1124, 1376, 1536, and 1982
taking into consideration House Bill 1214)*

Prepared by the Committees on Social Justice, Welfare and Rural Development with Senators Flavier, Angara, Villar, Estrada (J.), Pimentel, Recto, Magsaysay and Osmeña as authors thereof

AN ACT

GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY AND GRANTING THEM THE RIGHT TO LIVE FREE FROM VERBAL AND NON-VERBAL RIDICULE AND VILIFICATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS AND FOR OTHER PURPOSES"

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

1 **SECTION 1.** A new chapter, to be denominated as "Chapter 8 – Other
2 Privileges and Incentives" is hereby added to Title Two of Republic Act No. 7277,
3 otherwise known as the "Magna Carta for Disabled Persons", with new Sections
4 32 and 33, to read as follows:

5 "CHAPTER 8- OTHER PRIVILEGES AND INCENTIVES

6 SEC. 32. PERSONS WITH DISABILITY SHALL BE ENTITLED TO
7 THE FOLLOWING:

8 (A) AT LEAST TWENTY PERCENT (20%) DISCOUNT FROM ALL
9 ESTABLISHMENTS RELATIVE TO THE UTILIZATION OF ALL
10 SERVICES IN HOTELS AND SIMILAR LODGING
11 ESTABLISHMENTS; RESTAURANTS AND RECREATION
12 CENTERS FOR THE EXCLUSIVE USE OR ENJOYMENT OF
13 PERSONS WITH DISABILITY;

1 (B) A MINIMUM OF TWENTY PERCENT (20%) DISCOUNT ON
2 ADMISSION FEES CHARGED BY THEATERS, CINEMA
3 HOUSES, CONCERT HALLS, CIRCUSES, CARNIVALS AND
4 OTHER SIMILAR PLACES OF CULTURE, LEISURE AND
5 AMUSEMENT FOR THE EXCLUSIVE USE OR ENJOYMENT
6 OF PERSONS WITH DISABILITY;

7 (C) AT LEAST TWENTY PERCENT (20%) DISCOUNT FOR THE
8 PURCHASE OF MEDICINES IN ALL DRUGSTORES FOR THE
9 EXCLUSIVE USE OR ENJOYMENT OF PERSONS WITH
10 DISABILITY;

11 (D) EXEMPTION FROM PAYMENT OF INDIVIDUAL INCOME
12 TAXES; PROVIDED, THAT THEIR ANNUAL TAXABLE
13 INCOME DOES NOT EXCEED THE POVERTY LEVEL AS
14 DETERMINED BY THE NATIONAL ECONOMIC
15 DEVELOPMENT AUTHORITY (NEDA) FOR THAT YEAR;

16 (E) AT LEAST TWENTY PERCENT (20%) DISCOUNT ON
17 MEDICAL AND DENTAL SERVICES INCLUDING
18 DIAGNOSTIC AND LABORATORY FEES SUCH AS, BUT NOT
19 LIMITED TO, X-RAYS, COMPUTERIZED TOMOGRAPHY
20 SCANS AND BLOOD TESTS, IN ALL GOVERNMENT
21 FACILITIES, SUBJECT TO GUIDELINES TO BE ISSUED BY
22 THE DEPARTMENT OF HEALTH (DOH) IN COORDINATION
23 WITH THE PHILIPPINE HEALTH INSURANCE
24 CORPORATION (PHILHEALTH);

25 (F) AT LEAST TWENTY PERCENT (20%) DISCOUNT ON
26 MEDICAL AND DENTAL SERVICES INCLUDING
27 DIAGNOSTIC AND LABORATORY FEES, AND
28 PROFESSIONAL FEES OF ATTENDING DOCTORS IN ALL

1 PRIVATE HOSPITALS AND MEDICAL FACILITIES, IN
2 ACCORDANCE WITH THE RULES AND REGULATIONS TO
3 BE ISSUED BY THE DOH, IN COORDINATION WITH THE
4 PHILHEALTH;

5 (G) AT LEAST TWENTY PERCENT (20%) DISCOUNT ON FARE
6 FOR DOMESTIC AIR AND SEA TRAVEL FOR THE
7 EXCLUSIVE USE OR ENJOYMENT OF PERSONS WITH
8 DISABILITY;

9 (H) AT LEAST TWENTY PERCENT (20%) DISCOUNT IN PUBLIC
10 RAILWAYS, SKYWAYS AND BUS FARE FOR THE
11 EXCLUSIVE USE AND ENJOYMENT OF PERSONS WITH
12 DISABILITY;

13 (I) EDUCATIONAL ASSISTANCE TO PERSONS WITH
14 DISABILITY, FOR THEM TO PURSUE PRIMARY,
15 SECONDARY, TERTIARY, POST TERTIARY, AS WELL AS
16 VOCATIONAL OR TECHNICAL EDUCATION, IN BOTH
17 PUBLIC AND PRIVATE SCHOOLS, THROUGH THE
18 PROVISION OF SCHOLARSHIPS, GRANTS, FINANCIAL
19 AIDS, SUBSIDIES AND OTHER INCENTIVES TO QUALIFIED
20 PERSONS WITH DISABILITY, INCLUDING SUPPORT FOR
21 BOOKS, LEARNING MATERIALS, AND UNIFORM
22 ALLOWANCE TO THE EXTENT FEASIBLE: *PROVIDED*, THAT
23 PERSONS WITH DISABILITY SHALL MEET MINIMUM
24 ADMISSION REQUIREMENTS;

25 (J) TO THE EXTENT PRACTICABLE AND FEASIBLE, THE
26 CONTINUANCE OF THE SAME BENEFITS AND PRIVILEGES
27 GIVEN BY THE GOVERNMENT SERVICE INSURANCE
28 SYSTEM (GSIS), SOCIAL SECURITY SYSTEM (SSS), AND

1 PAG-IBIG, AS THE CASE MAY BE, AS ARE ENJOYED BY
2 THOSE IN ACTUAL SERVICE;

3 (K) TO THE EXTENT POSSIBLE, THE GOVERNMENT MAY
4 GRANT SPECIAL DISCOUNTS IN SPECIAL PROGRAMS FOR
5 DISABLED PERSONS ON PURCHASE OF BASIC
6 COMMODITIES, SUBJECT TO GUIDELINES TO BE ISSUED
7 FOR HE PURPOSE BY THE DEPARTMENT OF TRADE AND
8 INDUSTRY (DTI) AND THE DEPARTMENT OF
9 AGRICULTURE (DA); AND

10 (L) PROVISION OF EXPRESS LANES FOR PERSONS WITH
11 DISABILITY IN ALL COMMERCIAL AND GOVERNMENT
12 ESTABLISHMENTS IN THE ABSENCE THEREOF, PRIORITY
13 SHALL BE GIVEN TO THEM.

14 THE ABOVEMENTIONED PRIVILEGES ARE AVAILABLE ONLY
15 TO PERSONS WITH DISABILITY WHO ARE FILIPINO CITIZENS UPON
16 SUBMISSION AS PROOF OF HIS/HER ENTITLEMENT THERETO ANY
17 OF THE FOLLOWING:

18 (I) AN ID ISSUED BY THE CITY OR MUNICIPAL
19 MAYOR OR OF THE BARANGAY CAPTAIN OF THE
20 PLACE WHERE THE PERSON WITH DISABILITY
21 RESIDES;

22 (II) THE PASSPORT OF THE DISABLED PERSON
23 CONCERNED; OR

24 (III) TRANSPORTATION DISCOUNTED FARE
25 IDENTIFICATION CARD (ID) ISSUED BY THE
26 NATIONAL COUNCIL FOR THE WELFARE OF
27 DISABLED PERSONS (NCWDP).

1 THE PRIVILEGES MAY NOT BE CLAIMED IF THE PERSON
2 WITH DISABILITY CLAIMS A HIGHER DISCOUNT AS MAY BE
3 GRANTED BY THE COMMERCIAL ESTABLISHMENT AND/OR UNDER
4 OTHER EXISTING LAWS OR IN COMBINATION WITH OTHER
5 DISCOUNT PROGRAM/S.

6 THE ESTABLISHMENTS MAY CLAIM THE DISCOUNTS
7 GRANTED (A), (B), (C), (E), (F) AND (G) AS TAX DEDUCTION BASED
8 ON THE NET COST OF THE GOODS SOLD OR SERVICES
9 RENDERED; *PROVIDED*, HOWEVER, THAT THE COST OF THE
10 DISCOUNT SHALL BE ALLOWED AS DEDUCTION FROM GROSS
11 INCOME FOR THE SAME TAXABLE YEAR THAT THE DISCOUNT IS
12 GRANTED, *PROVIDED FURTHER*, THAT THE TOTAL AMOUNT OF
13 THE CLAIMED TAX DEDUCTION NET OF VALUE ADDED TAX IF
14 APPLICABLE, SHALL BE INCLUDED IN THEIR GROSS SALES
15 RECEIPTS FOR TAX PURPOSES AND SHALL BE SUBJECT TO
16 PROPER DOCUMENTATION AND TO THE PROVISIONS OF THE
17 NATIONAL INTERNAL REVENUE CODE (NIRC), AS AMENDED.”

18 “SEC. 33. INCENTIVES – THOSE CARING FOR AND LIVING
19 WITH THE PERSONS WITH DISABILITY SHALL BE GRANTED THE
20 FOLLOWING INCENTIVES:

21 (A) PERSONS WITH DISABILITY SHALL BE TREATED AS
22 DEPENDENTS AS PROVIDED FOR IN THE NATIONAL
23 INTERNAL REVENUE CODE, AS AMENDED, AND AS SUCH,
24 INDIVIDUAL TAXPAYERS CARING FOR THEM SHALL BE
25 ACCORDED THE PRIVILEGES GRANTED BY THE CODE
26 INSOFAR AS HAVING DEPENDENTS ARE CONCERNED;
27 AND

1 UTTERANCE OF SLANDEROUS AND ABUSIVE STATEMENTS
2 AGAINST A PERSON; B) AN ACTIVITY IN PUBLIC WHICH
3 INCITES HATRED TOWARDS, SERIOUS CONTEMPT FOR, OR
4 SEVERE RIDICULE OF PERSON WITH DISABILITY.”

5 “SEC. 42. ANY INDIVIDUAL GROUP OR COMMUNITY IS
6 HEREBY PROHIBITED FROM VILIFYING ANY DISABLED
7 PERSON WHICH COULD RESULT INTO DEGRATION OF SELF-
8 RESPECT AND MORAL OF THE LATTER.”

9 **Sec. 3.** Section 46 of Republic Act No. 7277 is hereby amended to read as
10 follows:

11 “SECTION 46. Penal Clause. — a) Any person who violates
12 any provision of this Act shall suffer the following penalties:

13 1) for the first violation, a fine of not less than Fifty
14 thousand pesos (P50,000.00) but not exceeding One hundred
15 thousand pesos (P100,000.00) or imprisonment of not less than six
16 (6) months but not more than two (2) years, or both at the discretion
17 of the court; and

18 2) for any subsequent violation, a fine of not less than
19 One hundred thousand pesos (P100,000.00) but not exceeding Two
20 hundred thousand pesos (P200,000.00) or imprisonment for not
21 less than two (2) years but not more than six (6) years, or both at
22 the discretion of the court.

23 b) Any person who abuses the privileges granted herein shall
24 be punished with imprisonment of not less than six (6) months or a fine of
25 not less than Five thousand pesos (P5,000.00), but not more than Fifty
26 thousand pesos (P50,000.00), or both, at the discretion of the court.

27 c) If the violator is a corporation, organization or any similar
28 entity, the officials thereof directly involved shall be liable therefor.

1 d) If the violator is an alien or a foreigner, he shall be deported
2 immediately after service of sentence without further deportation
3 proceedings.

4 UPON FILING AN APPROPRIATE COMPLAINT, AND AFTER DUE
5 NOTICE AND HEARING, THE PROPER AUTHORITIES MAY ALSO
6 CAUSE THE CANCELLATION OR REVOCATION OF THE BUSINESS
7 PERMIT, PERMIT TO OPERATE, FRANCHISE AND OTHER SIMILAR
8 PRIVILEGES GRANTED TO ANY BUSINESS ENTITY THAT FAILS TO
9 ABIDE BY THE PROVISIONS OF THIS ACT.”

10 **Sec. 4.** *The title of Republic Act No. 7277 is hereby amended to read as*
11 *the “Magna Carta for Persons with Disability”, and all references on the said law*
12 *to “disabled persons” shall likewise be amended to read as “persons with*
13 *disability”*

14 **Sec. 5.** *The Department of Social Welfare and Development, the National*
15 *Council for the Welfare of Disabled Persons, and the Bureau of Internal Revenue*
16 *in consultation with the concerned Senate and House committees and other*
17 *agencies, organizations, establishments shall formulate an implementing rules*
18 *and regulations pertinent to the provisions of this Act within six (6) months after*
19 *the effectivity of this Act.*

20 **Sec. 6.** *This Act shall take effect fifteen (15) days after its publication in*
21 *any two newspapers of general circulation.*

Approved,