

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
**First Regular Session**

HOUSE BILL NO. 5129



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Introduced By Representative **ALLAN BENEDICT S. REYES**

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**EXPLANATORY NOTE**

The wheelchair is one of the most commonly used assistive devices for promoting personal mobility and enhancing the quality of life of individuals who may have difficulties in moving around, particularly persons with disabilities, senior citizens, and pregnant women.

Under the Magna Carta for Disabled Persons, it is the declared policy of the State to give full support to the improvement of the total well-being of persons with disabilities and their complete integration into the mainstream of society. The State also recognizes the role of the private sector in promoting the welfare of persons with disabilities, thus, encouraging partnership in programs that address their special needs and concerns. Under Article 20 of the United Nations Convention on the Rights of Persons with Disabilities, member-states are also required to support the development and servicing of assistive devices and equipment to allow people with disabilities to restore their social functioning and participation in community affairs, thereby, helping them become productive members of their communities.

Similarly, the Expanded Senior Citizens Act of 2003 aims to give full support to the improvement of the total well-being of the elderly and their full participation in society. It also recognizes the important role of the private sector in improving the welfare of senior citizens, thus, pursues their partnership for programs that are beneficial to the senior citizens, their families and the rest of the community they serve.

Lastly, Philippine laws are protective of women and the unborn. In fact, no less than Section 14 of Article XIII of the Philippine Constitution mandates the State to protect working women through provisions for opportunities that would enable them to reach their full potential. It is also the declared policy of the State to equally protect the life of the mother and the life of the unborn from conception.

Despite these avowed policies of the State, however, persons with disabilities, senior citizens and pregnant women do not fully enjoy the quality of life they deserve because most establishments in the country do not provide readily available assistive devices that may promote their personal mobility.

Based on the 2010 Census of Population and Housing (2010 CPH), 1.44 million persons (or 1.57 percent) out of the 92.1 million household population in the country had disability. By year 2020, it is estimated that persons with disabilities will comprise 19.9% of the population. Globally, it was estimated that 20 million of those requiring a wheelchair for

mobility did not have one. There are also indications that only a minority of those in need of wheelchairs have access to them.

Meanwhile, senior citizens, or those aged 60 years old and over, constitute 6.8 percent of the household population based on the 2010 CPH. By end of the year 2018, it was estimated that there were at least 8,013,059 Filipinos over 60 years old, constituting 8.2% of the total population. Of this group, 5,082,049 were said to be 65 years old and older. Thus, the country is said to be moving toward an aging population. Of these statistics, a great number of our senior citizens already have difficulties in walking, hence, are in need of wheelchairs for mobility.

Moreover, a total of 1,731,289 live births were registered in the country in the year 2016 alone. This is equivalent to about seventeen (17) births per thousand population. On the average, therefore, our women are said to be giving birth to about 4,730 babies per day. From conception and during pregnancy, walking and moving around becomes generally more difficult for women since they are carrying more weight than what their respective bodies are used to. They may also experience pregnancy fatigue and exhaustion as hormonal changes take place in their bodies. Hence, pregnant women may also require wheelchairs for their mobility.

This Bill seeks to mandate all public accommodations and services to place at least two (2) wheel chairs in readily accessible areas of their establishments for the free use and enjoyment of persons with disability, senior citizens, pregnant women and other individuals who may need them. This way, the declared policy of the State to give full support to the improvement of the total well-being of persons with disabilities and senior citizens as well as the protection of women and the unborn is further achieved.

In view of the foregoing, passage of this bill is earnestly sought.



**HON. ALLAN BENEDICT S. REYES**  
Representative  
3<sup>rd</sup> District, Quezon City



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**AN ACT MANDATING THE FREE PROVISION OF WHEELCHAIRS IN ALL PUBLIC ACCOMMODATIONS AND SERVICES FOR THE USE OF PERSONS WITH DISABILITY, SENIOR CITIZENS, PREGNANT WOMEN, AND OTHER INDIVIDUALS WHO MAY NEED THEM**

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

1       **SECTION 1. Short Title.** - This Act shall be known as the ***“Wheelchair Provision***  
2 ***Act of 2019.”***  
3

4       **SECTION 2. Mandate.** - All public accommodations and services are mandated to  
5 place at least two (2) wheel chairs in readily accessible areas of their establishments for  
6 the free use and enjoyment of persons with disability, senior citizens, pregnant women  
7 and other individuals who may need them.  
8

9       **SECTION 3. Coverage.** - For this purpose, the Act shall adopt the definition and  
10 coverage of “public accommodations and services” provided under Section 35 of the  
11 Magna Carta for Disabled Persons, *to wit:*  
12

13       **SECTION 35. Public Accommodations and Services.** - For purposes of this  
14 Chapter, public accommodations and services shall include the following:  
15

- 16       (a) an inn, hotel, motel, or other place of lodging, except for an establishment  
17       located within a building that contains not more than five (5) rooms for rent  
18       or hire and that is actually occupied by the proprietor of such establishment  
19       as the residence of such proprietor;  
20       (b) a restaurant, bar or other establishment serving food or drink;  
21       (c) a motion picture, theater, concert hall, stadium, or other place of exhibition  
22       or entertainment;  
23       (d) an auditorium, convention center, lecture hall, or other place of public  
24       gathering;  
25       (e) a bakery, grocery store, hardware store, shopping center, or other sales or  
26       rental establishment;  
27       (f) a bank, barber-shop, beauty-shop, travel service, funeral parlor, gas station,  
28       office of a lawyer, pharmacy, insurance office, professional office of a health  
29       care provider, hospital or other service establishment;  
30       (g) a terminal, depot, or other station used for specified public transportation;  
31       (h) a museum, gallery, library or other place of public display or collection;

- 1 (i) a park, zoo, amusement park, or other place of recreation;  
2 (j) a nursery, elementary, secondary, undergraduate, or post-graduate private  
3 school, or other place of education;  
4 (k) a gymnasium, health spa, bowling alley, golf course; or  
5 (l) other place of exercise or recreation.  
6

7 **SECTION 4. *Penalties.*** - After observance of due process, any establishment found  
8 violating this Act shall be fined and/or penalized as follows:  
9

10 First Offense: Ten Thousand Pesos (P10,000.00)

11 Second Offense: Twenty Thousand Pesos (P20,000.00)

12 Third or Subsequent Offense: Thirty Thousand Pesos (P30,000.00) and  
13 suspension of license or permit to operate for a period of not less than thirty (30)  
14 days  
15

16 **SECTION 5. *Implementing Rules and Regulations and Standard Forms.*** - Within  
17 sixty (60) days from the promulgation of this Act, the necessary rules and regulations for  
18 the proper implementation of its provisions shall be formulated by the appropriate  
19 government office or agency in coordination with all the stakeholders and covered  
20 establishments and institutions.  
21

22 **SECTION 6. *Repealing Clause.*** - All laws, executive orders, administrative orders,  
23 rules, regulations, decrees, and other issuances or parts thereof, which are inconsistent  
24 with the provisions of this Act are hereby revoked, repealed, or modified accordingly.  
25

26 **SECTION 7. *Separability Clause.*** - If any provision of this Act is held  
27 unconstitutional or invalid, the other provisions not affected thereby shall continue in  
28 operation and remain in full force and effect.  
29

30 **SECTION 8. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after  
31 its publication the *Official Gazette* or in the two (2) national newspaper of general  
32 circulation.  
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34 Approved,