

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

**Eighteenth Congress**  
First Regular Session

HOUSE BILL NO. 6962



---

Introduced by Representatives **MA. LOURDES T. ARROYO**

---

**AN ACT**  
**REORGANIZING THE NATIONAL COUNCIL ON DISABILITY AFFAIRS INTO**  
**THE NATIONAL COMMISSION ON DISABILITY AFFAIRS, DEFINING ITS**  
**POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR**  
**OTHER PURPOSES**

**EXPLANATORY NOTE**

The Philippines, through the Magna Carta on the Rights of Persons with Disabilities (R.A. No. 7277) enacted in 1992, describes persons with disabilities as those suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which entered into force on 03 May 2008 does not provide a closed definition of disability. Its preamble shows that disability is an evolving concept. More so, the Convention reflects a social model of disability in the sense that it clarifies disability as resulting from the interaction between persons with impairments and external barriers (i.e., environmental, institutional, or attitudinal) that hinders their participation in society on an equal basis with others.<sup>1</sup>

In the Philippines, persons with disabilities are classified under seven (7) categories based on the type of disability. Under the implementing rules of R.A. No. 9442<sup>2</sup> these categories are as follows:

1. Psychosocial and behavioral disabilities;
2. Chronic illnesses with disabilities;
3. Learning (cognitive or intellectual) disabilities;
4. Mental disabilities;
5. Visual or seeing disabilities;
6. Orthopedic or moving disabilities; and
7. Communication disabilities.

Varied and different as the needs of these sectors may be, they are one in facing a common problem – Accessibility. For years, Persons with Disabilities have struggled with

---

<sup>1</sup> Commission of Human Rights Advisory, CHR (V) A2020-009

<sup>2</sup> An Act Amending RA 7277, otherwise known as the "Magna Carta for Disabled Persons

accessibility. Now, with the threat of Covid-19, life that was already complicated and challenging before the onset of this pandemic has gotten worse and has literally become a matter of survival or death. Immediate action by the government to include people with disabilities in responding to Covid-19 is expected so as not to put them under additional and unnecessary risks.

The National Council on Disability Affairs (NCDA) is the lead agency tasked to formulate policies and coordinate the activities of all agencies, whether public or private, concerning disability issues and concerns. The Council is tasked among others to monitor the implementation of several disability laws to ensure the protection of persons with disabilities' civil and political rights and to establish, develop and maintain a data bank on disability in partnership with concerned government agencies and non-government organizations.


However, we do not have an updated and accurate listing or registration of persons with disabilities. Government agencies and local government units are still using the 2010 registry of the Philippine Statistics Office. We only have the PSA results from the 2010 Census of Population and Housing (2010 CPH) that "Persons with Disability in the Philippines, of the 92.1 million household population in the country, 1.44 million persons or 1.57 percent had disability." The reported 1.57% disability (of the then 92M population) is still considered by many sectors / authorities as "undercounted" compared to the WHO 10-15% demographic of disability in any given population.

This bill seeks to reorganize the National Council on Disability Affairs to a National Commission on Disability Affairs. As a Commission it shall be able to further strengthen the mandate of the government agency to address the concerns and needs of persons with disabilities.

With Commissioners from the Department of Health (DOH), Department of Social Welfare and Development (DSWD), Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA) and Commission on Higher Education (CHED) together with representatives from the private sector, the Commission will have a greater capacity and more support to collect data, identify needs and formulate policies relating to persons with disabilities. Under the bill, the Commission shall have one Regional Director for every region who shall supervise the official activities of all provinces, cities and municipalities under the jurisdiction of the concerned region.

The government must prevent discrimination and abuse against people with disabilities and remove barriers that prevent their full inclusion in society. With a stable institution that looks after the well-being of persons with disabilities, they are ensured that the government acknowledges them as persons on equal basis with others.

In view of the foregoing the passing of this bill is earnestly sought.

  
**MA. LOURDES T. ARROYO**



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

**Eighteenth Congress**  
First Regular Session

HOUSE BILL NO. 6962

---

Introduced by Representatives **MA. LOURDES T. ARROYO**

---

**AN ACT**  
**REORGANIZING THE NATIONAL COUNCIL ON DISABILITY AFFAIRS INTO**  
**THE NATIONAL COMMISSION ON DISABILITY AFFAIRS, DEFINING ITS**  
**POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR**  
**OTHER PURPOSES**

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

**SECTION 1. *Short Title.*** - This Act shall be known as the “National Commission on Disability Affairs Act of 2020.”

**Section 2. *Declaration of Policy.*** - The State recognizes that persons with disabilities are part of Philippine society and are thus entitled to the same rights as other people. It is hereby declared the policy of the State to support, protect, and promote the rights of persons with disabilities. Towards this end, the State shall establish a National Commission on Disability Affairs to formulate policies and coordinate activities for persons with disabilities.

**Section 3. *National Commission on Disability Affairs.*** - There is hereby created a National Commission on Disability Affairs, hereinafter referred to as the COMMISSION. It shall be attached to the Office of the President.

**Section 4. *Mandate.*** - The Commission shall be the national government agency to formulate policies and coordinate activities of all agencies, whether public or private, concerning disabilities issues and concerns. It shall be the lead agency tasked to steer the course of program development for persons with disabilities and the delivery of service to the sector.

**Section 5. *Powers and Functions.*** - The Commission shall exercise the following powers and functions to carry out the mandate:

- a. Formulate policies and propose legislations concerning the rights and well being of persons with disabilities, and lead in the implementation of programs and services concerning the same;

- b. Prepare and adopt an integrated and comprehensive long-term National Rehabilitation Plan, which will ensure the formulation and implementation of programs and projects to promote the rehabilitation self-reliance, and development of persons with disabilities;
- c. Conduct researches and studies relevant to formulated policies to promote and enhance at all levels the rights of persons with disabilities;
- d. Conduct consultative meetings and prepare symposia with all stakeholders, and undertake program evaluation and monitoring to ensure that comprehensive relevant and timely programs and service are adequate and accessible to persons with disabilities;
- e. Identify and immediately address gaps in the implementation of programs and laws benefitting persons with disabilities, especially the Magna Carta for Disabled Persons, as amended;
- f. Formulate strategic interventions and provide an expeditious response to address the immediate concerns of persons with disabilities;
- g. Act as overall coordinating body to rationalize the function and activities of government agencies, private entities, and international organization operating in the Philippines, and the enforcement of laws related to and affecting persons with disabilities;
- h. Establish, develop, and maintain a data bank on disabilities through a National Registry of Persons with Disabilities which shall be obtained through the National Registration Program for Persons with Disabilities, on a provincial, city and municipal-wide level, in partnership with concerned government agencies and non-government organizations and strengthen the referral services to ensure availability of data to stakeholders and services to persons with disabilities including provision of assistive devices;
- i. Establish and maintain linkages and networking with local and international organizations, including organizations of and for persons with disabilities to generate resources and to maximum utilization of existing resources and for purposes of convergence;
- j. Serve as a national working body to promote and monitor implementation of national laws and international commitments;
- k. Assist in the establishment of self-help organization and the setting up of specific projects through the provision of technical and financial assistance to draw out the active participation of persons with disabilities in the social and economic development of the country. (Section 31, RA 7277).
- l. Act as the national consultative and advisory body to the President of the Philippines on matters within its competence;



- m. Facilitate the conduct of fund-raising activities and formulate innovative schemes to ensure funding support for major activities
- n. Submit quarterly reports to Congress.

**Section 6. Composition.** - The Commission shall be composed of the following members:

- a. A Chairperson who shall be appointed by the President of the Philippines;
- b. Secretaries of the following Departments who shall sit in the Commission as ex-officio members, to state:
  - 1. Department of Health (DOH);
  - 2. Department of Social Welfare and Development (DSWD);
  - 3. Department of Education (Dep Ed);
  - 4. Technical Education and Skills Development Authority (TESDA); and,
  - 5. Commission on Higher Education (CHED).

The Secretaries mentioned are authorized to designate their respective alternate representatives to represent themselves.

- c. Private sector representatives selected from the following sector:
  - 1. Learning Disabilities;
  - 2. Intellectual Disabilities;
  - 3. Developmental Disabilities;
  - 4. Hearing Impairment;
  - 5. Visual Impairment;
  - 6. Physical and Mobility Impairment;
  - 7. Emotional/ Behavioral Disorder;
  - 8. Multi-handicaps;
  - 9. Pervasive Developmental Disorder;

**Section 7. Chairperson.** - The Chairperson who shall be appointed by the President, shall have the following duties and responsibilities;

- a. Call and preside over the meetings of the Commission;
- b. Manage and administer the affairs of the Commission;
- c. Monitor the implementation of policies approved by the Commission;
- d. Sign communication for the Commission and represent the Commission whenever necessary;
- e. Solicit and accept, on behalf of the Commission, gifts, grant, or donations in accordance with government rules, regulations and policies;
- f. Execute contracts in the pursuit of the Commission's objectives as may be authorized by the Commission, in accordance with the government rules and regulations; and,
- g. Organize permanent or ad hoc committees, consisting of members of the Commission or such other experts as are deemed necessary for the discharge of the functions and objectives of the Commission.

**Section 8. *Executive Director.*** - The Chairperson shall be assisted by an Executive Director, who shall be appointed by the Chairperson. The Executive Director shall the following duties and responsibilities:

- a. Administer the affairs of the Commission;
- b. Implement policies, plans and programs approve by the Commission;
- c. Exercise direct supervision and control over all the organization units placed under his/her jurisdiction including recommending to the Chairperson the appointment of personnel of the Commission and disciplinary actions as may be necessary for the effective management of the Commission;
- d. Represent the Commission in administrative and legislative bodies and in conference and seminars that require the participation of the Commission;
- e. Prepare and submit to the Commission the annual report on the operations of the Commission and such other reports as may be required by the Commission; and
- f. Perform such other functions as may be provided by law.

**Section 9. *Deputy Executive Directors.*** - The Executive Director shall be assisted by two Deputies: a Deputy Executive Director for Administration and Deputy Executive Director for Operations. The Deputy Directors shall be appointed by the Chairperson.

**Section 10. *Qualifications.*** - No person shall be appointed Chairperson, Executive Director or Deputy Director of the Commission unless he or she is a citizen and resident of the Philippines of good moral character, of proven integrity, and with at least seven (7) years of competence and expertise in delivering service to persons with disabilities.

**Section 11. *Regional Directors.*** - The Commission shall have one Regional Director for every region who shall supervise the official activities of all provinces, cities and municipalities under the jurisdiction of the concerned region. He/she shall be the primary coordinating and overseeing authority over the Persons with Disability Affairs Office (PDAO) established by the local government units (LGU). The Regional Director may be assisted by one (1) Assistant Regional Director. The Regional Director shall have, within their respective administrative regions, the following functions:

- a. Implement laws, policies, plans, programs, projects, rules and regulations of the Commission;
- b. Provide efficient and effective service to the people;
- c. Coordinate with regional offices of other departments, offices and agencies;
- d. Coordinate with the LGUs and their PDAOs; and,
- e. Perform such other function as may be provided by law or assigned by the Chairperson.

**Section 12. *Sectoral and Industry Task Forces.*** - The Commission may create sectoral and industry task forces, technical working groups, advisory bodies, or communities for the furtherance of its objectives. Additional private sector representatives, such as from academe, civil society organizations, and federation or private industries directly involved with persons with disabilities, as well as representatives of other LGUs and Government-Owned and Controlled Corporation (GOCC) may be appointed to these working groups. Government disability affairs professionals may also be tapped to partake in the work of the Commission through these working groups.



**Section 13. *Structure and Staffing Pattern.*** - Subject to the approval of the Department of Budget and Management (DBM), the Commission shall determine its organizational structure and create new divisions or units as it may deem necessary, and shall appoint officer and employees of the Commission in accordance with the Civil Service Law, Rules and Regulations.

**Section 14. *Implementing Rules and Regulations.*** Within sixty (60) days from the effectivity of this Act, the National Council on Disability Affairs (NCDA), Department of Budget and Management and other relevant government agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

**Section 15. *Appropriations.*** The funds needed to initially implement this Act shall be included in the current fiscal year's appropriation of the National Council on Disability Affairs. Thereafter, the amount needed for the operation and maintenance of the Commission shall be included in the General Appropriation Act.

**Section 16. *Separability Clause.*** - Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

**Section 17. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or other issuances or part inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**Section 18. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved.