

RA 10070 – Establishing Institutional Mechanism To Ensure The Implementation Of Programs And Services For Persons With Disabilities In Every Province, City and Municipality, Amending Republic Act No. 7277, Otherwise Known As The Magna Carta For Disabled Persons, As Amended, And For Other Purposes

S. No. 3560

H. No. 1387

Republic of the Philippines

Congress of the Philippines

Metro Manila

Fourteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand and nine.

[Republic Act No. 10070]

ESTABLISHING INSTITUTIONAL MECHANISM TO ENSURE THE IMPLEMENTATION OF PROGRAMS AND SERVICES FOR PERSONS WITH DISABILITIES IN EVERY PROVINCE, CITY AND MUNICIPALITY, AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE MAGNA CARTA FOR DISABLED PERSONS• , AS AMENDED, AND FOR OTHER PURPOSES

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

Section 1. Section 40 of Republic Act No. 7277, as amended, is hereby further amended to read as follows:

Sec. 40. Role of National Agencies and Local Government Units. (a) Local government units shall promote the establishment of organizations of persons with disabilities (PWDs) in their respective territorial jurisdictions. National agencies and local government units may enter into joint ventures with organizations or associations of PWDs to explore livelihood opportunities and other undertakings that shall enhance the health, physical fitness and the economic and social well-being of PWDs.

(b) Local government units shall organize and establish the following:

(1) Persons with Disability Affairs Office (PDAO)

PDAO shall be created in every province, city and municipality. The local chief executive shall appoint a PWD affairs officer who shall manage and oversee the operations of the office, pursuant to its mandate under this Act. Priority shall be given to qualified PWDs to head and man the said office in carrying out the following functions: Formulate and implement policies, plans and programs for the promotion of the welfare of PWDs in coordination with concerned national and local government agencies;

- (ii) Coordinate the implementation of the provisions of this Act, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- (iii) Represent PWDs in meetings of local development councils and other special bodies;
- (iv) Recommend and enjoin the participation of nongovernment organizations (NGOs) and people'S organizations (POs) in the implementation of all disability-related laws and policies;
- (v) Gather and compile relevant data on PWDs in their localities;
- (vi) Disseminate information including, but not limited to, programs and activities for PWDs, statistics on PWDs, including children with disability, and training and employment opportunities for PWDs;
- (vii) Submit reports to the office of the local chief executive on the implementation of programs and services for the promotion of the welfare of PWDs in their respective areas of jurisdiction;
- (viii) Ensure that the policies, plans and programs for the promotion of the welfare of PWDs are funded by both the national and local government;
- (ix) Monitor fundraising activities being conducted for the benefit of PWDs;
- (x) Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for PWDs, in accordance with existing laws and regulations; and
- (xi) Perform such other functions as may be necessary for the promotion and protection of the welfare of the PWDs.

(2) Focal Person

In consideration of budget restraints, local chief executives of fourth (4th), fifth (5th) and sixth (6th) class municipalities may, in lieu of the creation of a PDAO, designate a focal person who shall perform the functions of the PDAO.Â Priority in appointment should be given to a PWD with experience in providing services to PWDs.

The establishment of a PDAO or the appointment of a focal person, as the case may be, should be done in consultation and coordination with the National Council on Disability Affairs (NCDA), NGOs and POs. •

SEC. 2. References to the term "Disabled Persons" on the title and other sections of the same Act are hereby amended to read as "Persons with Disabilities (PWDs)." •

SEC. 3. Within three (3) years after the effectivity of this Act, appropriate agencies, headed by the Department of Social Welfare and Development (DSWD), in consultation with the NCDA and relevant NGOs and POs, shall review its implementation and recommend to Congress the need to mandate the establishment of a PDAO in fourth (4th), fifth (5th) and sixth (6th) class municipalities.

SEC. 4. In order to effectively carry out the objectives of Republic Act No. 7277, the National Government, through the DSWD, shall ensure that the annual budget includes provisions to fund programs and provide support for PWDs.

Local government units shall likewise ensure that the necessary fund from any available local revenues is allocated for the implementation of this Act for the benefit of PWDs in their jurisdictions.

SEC. 5. *Repealing Clause.* All laws, presidential decrees, executive orders, and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. *Separability Clause.* If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SEC. 7. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation or in the *Official Gazette*, whichever comes first.

Approved:

Signed

PROSPERO C. NOGRALES

JUAN PONCE ENRILE

This Act which is a consolidation of Senate Bill No. 3560 and House Bill No. 1387 was finally passed by the Senate and the House of Representatives on January 18, 2010 and January 26, 2010, respectively.

Signed

MARILYN B. BARUA-YAP

Secretary General House of Representatives

Signed

EMMA LIRIO-REYES

Secretary of the Senate

Approved: APRIL 06, 2010

GLORIA MACAPAGAL-ARROYO

President of the Philippines

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