



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE JOURNAL OF THE 61st REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 07 SEPTEMBER 2020, 1:00 P. M. AT THE SANGGUNIANG SESSION HALL.

Present:

Vice Mayor Gualberto V. Magno	- Presiding Officer
Councilor Jerwin S. Dimapilis	- Member
Councilor Agustin L. Cusi	- Member
Councilor David D. De La Cruz	- Member
Councilor John John S. Yason	- Member
Councilor Robert S. Quiatchon	- Member
Councilor Lucille T. Bacay	- Member
Councilor Juan Rafael M. Talens	- Member
Councilor Ronel S. Sescar	- Member
Councilor Celso M. Dimapilis	- President, Liga ng Barangay
Councilor Elmira May V. Tarac	- Member, SKMF President

Absent: N O N E

MUNICIPAL ORDINANCE NO. 19
Series of 2020

AN ORDINANCE RECOGNIZING THE RIGHTS OF PERSONS WITH DISABILITY (PWD), GRANTING PRIVILEGES, BENEFITS, PROTECTION FROM VILIFICATION AND PUBLIC RIDICULE AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

Author:

Councilor LUCILLE T. BACAY

WHEREAS, Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons" was amended by Republic Act No. 9442 provides for additional benefits and privileges for Persons with Disability (PWD);

WHEREAS, in consonance with this and with the guiding principle of Municipal Government of Roxas, those who have less in life should have more in law and that the fruits of development should be spread in and out in t in trickles to all Roxasenos specially to those Persons with Disability (PWD);

WHEREAS, as part of the society and with the potential to contribute to national progress and community development, PWDs should be integrated into mainstream of society by empowering them, by recognizing and protecting their inherent rights, granting privileges and benefits as well as upholding their human dignity;

WHEREAS, the PWDs have the same rights as other people to take their proper place in society and that they should be able to live freely and as independently as possible;

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WHEREAS. to facilitate the integration of PWDs, the Municipality of Roxas must take the lead and provide venue for the collective participation of government agencies, NGO's, PO's and to remove all environmental, economic, socio-cultural barriers specially tradition based on Bayanihan, compassion, accountability and transparency.

NOW THEREFORE, be enacted as it is hereby enacted by the Sangguniang Bayan of Roxas in session duly assembled that:

SECTION 1. Title- This ordinance shall be known as the PERSONS WITH DISABILITY AND PUBLIC RIDICULE ORDINANCE of Roxas.

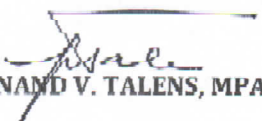
ARTICLE I General Provisions

SECTION 2. Definition of Terms- As used in this ordinance are hereby defined:

- a) Auxilliary support and benefits – qualified interpreters or other effective methods of delivering materials to individuals with hearing impairments, qualified readers, taped test or other effective methods of delivering materials to the individuals with visual impairments acquisition or modification of equipment or devices and other similar support and services or all types of such that facilitate the learning process with mental disability.
- b) MHO – Municipal Health Officer
- c) MSWD – Municipal Social Welfare and Development
- d) Disability – shall mean (1) a physical or mental impairment that substantially limits one or more psychological or anatomical function of an individual or activities of such individual; (2) a record of such impairment; or (3) being regarded as having such impairment.
- e) Persons with Disabilities – are those suffering from restriction of different abilities from the result of mental, physical or sensory impairment to perform an ability in the manner or written the range consider normal for the human being.
- f) Handicap – refers to a disadvantage for the given individual resulting from impairment or a disability that limit or prevent the function or activity that is considered normal given the age and sex of the individual.
- g) Impairment – is any loss diminution or aberration of any psychological, physiological or anatomical structure or function of a PWD.
- h) Public Ridicule – shall be defined as an act of making fun or contemptuous imitating or making mockery of a person with disability whether in writing, or in words, or in action to their impairment/s.
- i) Rehabilitation – is an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create condition to the individual to attain the highest possible level of self esteem
- j) Social Barriers – refers to the characteristics of the institutions whether ethnic, educational, legal, economic, professional, cultural, recreational, or other any human group, community or society which limit the fullest possible participation of disabled persons in life of the group. Barriers


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Include negative attitudes which tend to single out and exclude disabled persons and which distort roles and interpersonal relationship.

- k) Vilification – the utterance of slanderous and abusive statements against a person with disability.

ARTICLE II

Rights of the PWD's

SECTION 1. Employment- PWD shall not be deprived of access to opportunities for suitable employment. A qualified PWD employee shall be subject to the terms and condition of employment and the same compensation, privileges, benefits, fringe benefits, incentives and allowance as a qualified bodied person.

Five percent (5%) of all casual, emergency and contractual positions in the Department of Social Welfare and Development (DSWD), health education, cultural and sports, and other government agencies officers or corporations engaged in social development shall be reserved for person with disability.

SECTION 2. Education – the PWD shall provide an adequate access to quality education and ample opportunities to develop their skills. NO PWD shall be denied in the admission to any Course it offers by reason of his/her handicap or disability.

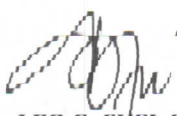
SECTION 3. Health – Access to quality and affordable health care services and geriatrics care shall be opened to PWDs and no deposits shall be required by any hospital, RHU or Infirmary involving emergency cases.

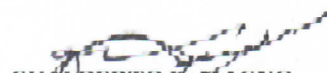
SECTION 4. Auxiliary Social Services - The Municipality shall recognize that marginalized persons are provided with the necessary auxiliary services that will resolved their social function and participation in the community affairs,

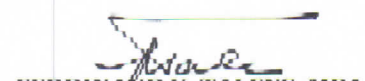
SECTION 5. Right to Assembly – the Municipal Government in consistent with the Philippine Constitution which recognizes the right of PWD's to participate in processions, rallies, parades, demonstrations, public meetings and assemblies or other forms of mass or concerted action held in public.

SECTION 6. Mobility – every building and facility constructed in the Municipality, shall ensure the attainment of a barriers for free environment that will enable PWD's to have access in public and private buildings, establishment and other places mentioned.

SECTION 7. Right to Organize – The Municipal Government recognizes the right of PWD's to form organization or association that promotes their welfare and advance their organization or association that shall be encouraged to participate in planning, identification, implementation and assessment of the city government programs on PWD's.


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ARTICLE III
Privileges to Persons with Disability

SECTION 1. Requirements. The requirements for the enjoyment of privileges, benefits and assistance are the following, to wit:

- a) Filipino Citizen
- b) A Bonafide Resident for at least one (1) year.
- c) Registered as PWD with the DSWD.

SECTION 2. Privileges – PWDs shall be entitled to the following privileges.

- a) At least twenty percent (20%) discount from all establishment relative to the utilization of all services in hotels and similar lodging establishments, restaurants and recreation centers for the exclusive use or enjoyment of person with disability.
- b) A minimum of twenty percent (20%) discount on admission fees charged by theaters, cinema houses, concert halls, circuses, carnivals and other similar places of culture, leisure and amusement for the exclusive use or enjoyment of person with disability.
- c) At least twenty percent (20%) discount for the purchase of medicines in all drugstores, for the exclusive use or employment of persons with disability.
- d) At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees such as, but not limited to x-rays, computerized tomography scans and blood tests, in all government facilities, subject to guidelines to be issued by the Department of Health (DOH), in coordination with the Philippine Health Insurance Corporation (PHILHEALTH).
- e) At least twenty percent (20%) discount on medical and dental services including diagnostic and laboratory fees and professional fees of attending doctors in all private hospitals and medical facilities, in accordance with the rules and regulation to be issued by the DOH, on coordination with the PHILHEALTH.
- f) At least twenty percent (20%) discount on fare for domestic and sea travel for the exclusive use and enjoyment of person with disability.
- g) At least twenty percent (20%) discount in public railways, skyways and bus fare for the exclusive use or enjoyment of person with disability.
- h) Educational assistance to person with disability for them to pursue primary, secondary, tertiary, as well as vocational or technical education in both public and private schools, through the provision of scholarship, grants, financial aids, subsidies and other incentives to qualified PWD, including support for books, learning materials, and uniform allowance to the extent feasible. Provided that person with disability shall meet minimum admission requirements.
- i) To the extent practicable and feasible, the continuance of the same benefits and privileges given by the government Services Insurance System (GSIS), Social Security System (SSS), and PAG-IBIG, as the case may be as are enjoyed by those in actual service.


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- j) To the extent possible, the government may grant special discounts in special programs for PWD on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
- k) Provision of express lanes for the PWDs in all commercial and government establishments, in the absence thereof, priority shall be given to them.

The above mentioned privileges are available only to person with disability who is a Filipino citizen upon submission of any of the following as proof of his/her entitled thereto:

- l) An identification Card issued by the Municipal Mayor or the Barangay Captain of the place where the PWD resides; ii. The passport of the person with disability concerned; or iii. Transportation discount fare Identification Card (ID) issued by the National Council for the Welfare of Disabled Person (NCWDP)

The privileges may not be claimed if the PWD claims a higher discount. It may be granted by the commercial establishment and/or under existing laws or in combination with other discount program/s.

The establishment may claim the discounts granted in sub-sections (a), (b), (c), (f) and (g) as tax deductions based on the net cost of the goods sold or services rendered. Provided, further, that the total amount of the claimed tax deduction is the net of value-added tax if applicable, shall be included in their gross sales receipt for tax purposes and shall be subject to proper documentation and to the provisions of the National Internal Revenue Code (NIRC), as amended."

ARTICLE IV

Incentives to Persons Caring for Person with Disability

SECTION 1. Person With Disability shall be treated as dependents under Section 35 (A) of the National Internal Revenue Code, as amended and as such, individual taxpayers caring for them shall be accorded the privileges granted by the code insofar as having dependent under the same section are concerned.

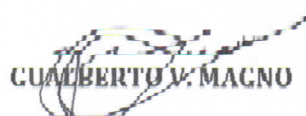
ARTICLE V

Prohibitions on Verbal, Non- Verbal Ridicule and Vilification Against Person with Disability

SECTION 1. Deliverance from Public Ridicule – for purposes of this Section, Public Ridicule shall be defined as an act of making fun or contemptuous imitating or making mockery of a person with disability whether in writing , or in words, or in action to their impairment/s.

No individual, group or community shall execute any of these acts of ridicule against a person with disability in any time and place which could intimidate or result in loss of self-esteem of the latter


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