

REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
-oOo-

CITY ORDINANCE NO. 443  
September 26, 2007

AN ORDINANCE IMPLEMENTING "CHAPTER 8, OTHER PRIVILEGES AND INCENTIVES" OF THE "MAGNA CARTA FOR DISABLED PERSONS".

WHEREAS, Republic Act No. 7277, an act providing for the Rehabilitation, Self-development and Self-reliance of Disabled Persons and their integration into the mainstream of society and for other purposes had been amended by Republic Act No. 9442, approved 30<sup>th</sup> of April 2007;

WHEREAS, a new chapter, denominated as "Chapter 8, Other Privileges and Incentives" is hereby added to title two of Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons" with new Sections, 32 and 33;

WHEREAS, the above mentioned privileges are available only to persons with disability who are Filipino citizens residing in the City of Bacolod.

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained by the Sangguniang Panlungsod of Bacolod City in regular session duly assembled that.

**Article I – Title**

This ordinance shall be known as an ordinance "Magna Carta for Disabled Persons with new Privileges and Incentives"

**Article II**  
**Definition of Terms**  
**(Taken from Republic Act 7277**

- (a) **Disabled Persons/Differently Able or Specially Able** – those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, in performing an activity in the manner or within the range considered for a human being.
- (b) **Disability** – shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical functions of an individual or activities of such individual, (2) a record of such an impairment; or (3) being regarded as having such an impairment;
- (c) **Impairment** – is any loss, dissemination or aberration of psychological, physiological or anatomical structure or function.



- (d) **Handicap** – refers to a disadvantage for a given individual resulting from impairment or a disability, that limits or prevents the function or activity, that is considered normal given the age and sex of the individual.
- (e) **Rehabilitation** – is an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create conditions for the individuals to attain the highest possible level of functional ability.
- (f) **Marginalized Disabled Persons** – refers to disabled persons who lack access to rehabilitate services and opportunities to be able to participate fully in socio economic activities and who have no means of livelihood or whose income fall below the poverty threshold.

### Article III PRIVILEGES


Privileges under Chapter 8, Section 32 – Persons with Disability shall be entitled to the following:

- (a) At least twenty percent (20%) discount from all establishment relative to all utilization of all services in hotels and similar lodging establishments, restaurants and recreation centers for the exclusive use or enjoyment of persons 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 persons with disability;
- (c) At least twenty percent (20%) discount for the purchase of medicines in all drugstores for the exclusive use or enjoyment 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, accordance with the rules and regulations to be issued by the DOH in coordination with the PHILHEALTH;

- (f) At least twenty percent (20%) discount on fare for domestic air and sea travel for the exclusive use or enjoyment of persons with disability;
- (g) At least twenty percent (20%) discount in public railways, skyways and bus for the exclusive use or enjoyment of persons with disability;
- (h) At least twenty percent (20%) discount on funeral parlor, exclusively for person with disability;
- (i) Educational assistance to the persons with disability, for them to pursue primary, secondary, tertiary, post tertiary, as well as vocational or technical education. In both public and private schools, through the provisions of scholarships, grants, financial aids, subsidies and other incentives to qualified persons with disability, including support for books, learning material, and uniform allowance to the extent feasible. Provided, That persons with disability shall meet minimum admission requirements;
- (j) To the extent practicable and feasible, the continuance of the same benefits and privileges given by the Government Service Insurance System (GSIS), Social Security System (SSS), and PAG-IBIG, as the case may be, as are enjoyed by those in actual service;
- (k) To the extent possible, the government may grant special discounts in special programs for persons with disability on purchase of basic commodities, subject to guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA); and
- (l) Provision of express lanes for persons with disability in all commercial and government establishments, in the absence thereof, priority shall be given to them.

**Article IV**  
**Incentive under Section 33, Chapter 8**

Those caring for and living with a person with disability shall be granted the following incentives

- (a) Persons with disability shall be treated as dependents under Section 35 (A) of the National Internal Revenue Code, as amended and as such, individual tax payers caring for them shall be accorded the privileges granted by the Code in so far as having dependents under the same section are concerned; and
- 

- (b) Individuals or non-governmental institutions establishing homes, residential communities or retirement villages solely to suit the needs and requirements of persons with disability shall be accorded the following:

- (I) Realty Tax holiday for the first five years of operation, and
- (II) Priority in the building and/or maintenance of provincial or municipal roads leading to the aforesaid home residential community or retirement village.

#### **Article V Coverage**

The above-mentioned privileges are available only to persons with disability who are Filipino Citizens upon submission of any of the following as proof of his/her entitlement thereto:


- (I) an Identification Card issued by the Department of Social Services and Development (DSSD) shall be signed by the City Mayor or the Barangay Captain of the place where the persons with disability resides;
- (II) the passport of the persons with disability concerned;
- (III) transportation discount fare Identification Card (ID) issued by the national council for the Welfare of Disabled Persons (NCWDP)

#### **Article VI Penalties**

- (a) Any person who violates any provisions of Section 46 of the Act shall suffer the penalties as already provided under Republic Act 9442:
  - (I) The City Government of Bacolod through the Department of Social Services and Development (DSSD) shall actively pursue the prosecution of such cases;
  - (II) That the Department of Social Services and Development (DSSD) shall recommend for the revocation of the business permit of corporations violating the Magna Carta.

#### **Article VI Appropriation Provision**

The amount necessary for the printing of the Identification Card shall be taken from the budget of the Department of Social Services and Development (DSSD) intended for the City Council for the Welfare of Disabled Persons.



**Article VIII  
Separability Clause**

Any provision of this ordinance not otherwise declared invalid by competent authority shall remain in full force and effect.

**Article IX  
Effectivity Clause**

This ordinance shall take effect upon its approval in accordance with law

**CARRIED BY THE VOTE OF:**

Affirmative:

Councilors: Greg G. Gasataya, Homer O. Bais, Dindo C. Ramos, Wilson C. Gamboa, Jr., Al Victor A. Espino, Napoleon A. Cordova, Celia Matea R. Flor, Catalino T. Alisbo, Roberto M. Rojas, Alex A. Paglumotan, Reynold I. Iledan, Arturo V. Parreño, Marx Louie S. de la Rosa.

Negative : N o n e .

Author : Councilor Catalino T. Alisbo.

Official Travel : Councilor Jocelle Batapa-Sigue.


Absent : N o n e .

Passed : September 26, 2007 (13<sup>th</sup> Regular Session)

Comments: P a s s e d

  
**JUDE THADDEUS A. SAYSON**  
Vice Mayor  
Presiding Officer

ATTESTED:

  
**ATTY. NILO T. ALEJANDRINO**  
Secretary to the Sanggunian

APPROVED: October 16, 2007.

  
**EVELIO R. LEONARDIA**  
City Mayor

NTA/HPL/jbz

