

CREATING THE NATIONAL COMMISSION CONCERNING DISABLED PERSONS, AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 1509, June 11, 1978

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WHEREAS, the national government recognizes its responsibility to provide the handicapped with the fullest measure of protection and assistance to help develop their abilities in all fields of endeavor and to promote their integration into the mainstream of society, as well as its primary duty for the prevention of physical and mental disabilities;

WHEREAS, the national government is also cognizant of the limitations of the existing system for delivery of services to the handicapped in this country and of the pressing need for the creation and development of new facilities to extend the range of rehabilitation services, as well as the expansion of existing ones to meet actual needs;

WHEREAS, there is an increasing awareness by the citizenry of the national problem of disability and of their joint responsibility with the government to be involved in the national effort to seek solutions to the problems;

WHEREAS, the national leadership notes, with great concern, that in the pursuit of this responsibility, there has been a proliferation of activities and programs for the welfare of the handicapped by government agencies and private organizations and that for lack of central direction and coordination, there is widespread overlapping and duplication of efforts, thereby resulting in the wastage of scarce resources and professional services and impairing the achievement of definite goals;

WHEREAS, the above conditions and the lack of organized and comprehensive, information on the nature and extent of the national problem of disability, render it imperative for the national leadership to create a central authority that will direct, coordinate and integrate the planning, management and implementation of all activities, national and local, public and private, pertaining to the welfare of the handicapped, in a manner which will ensure maximum and efficient utilization of human and natural resources for the attainment of this national goal, on the basis of comprehensive data and information.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the power vested in me by the Constitution, do hereby order and decree:

SECTION 1. Declaration of Policy.—The Government of the Republic of the Philippines hereby declares its full acceptance and support for the United Nations Economic and Social Council Resolution of May 6, 1975, particularly the following portion:

"Believing that the problem of disability is an appreciable component of the economic and social condition of every country and, consequently, that programs to prevent disability and to rehabilitate the disabled are an essential part of comprehensive plans for economic and social development, responsibility for which must be assumed by Governments working, as appropriate, with non-governmental organization."

SEC. 2. Creation of the National Commission Concerning Disabled Persons.—There is hereby created a National Commission, hereinafter referred to as the "Commission", which shall be under the supervision and control of the

Office of the President of the Philippines.

SEC. 3. Objectives of the Commission.—The Commission shall have the following objectives:

- To prepare and adopt an integrated and comprehensive long-term National Rehabilitation Plan, which will insure the protection of the rights of the handicapped, provide services for their needs and at the same time insure adequate safeguards for the prevention of disability—taking into consideration the National Rehabilitation Plan prepared by an Ad Hoc Committee that may be created for that purpose;
- To insure that all programs and services for the welfare of the handicapped are universal and accessible to all segments of society;
- To conduct comprehensive and continuing studies on rehabilitation services and on the problems and causes of disability, covering all major areas of concern—social, medical, educational and vocational—and to make corresponding recommendations on the basis of its fundings;
- To propose new policies and new legislation, or amendments to existing ones, that will insure the attainment of its objectives;
- To act as an overall coordinating body, to rationalize the functions and activities of government agencies, private entities and international organizations operating in the Philippines, and the enforcement of laws related to and affecting the handicapped;
- To establish, maintain and expand contacts with international public and private organizations concerned with the handicapped, and to keep abreast with international standards and the latest developments in the international rehabilitation community;
- To act as a national consultative and advisory body to the President on matters within its competence;
- To insure the fullest participation and involvement of handicapped person in the rehabilitation process; and
- To educate and reorient the general public in its attitude and thinking in regard to the disabled.

SEC. 4. Powers and Functions of the Council.

- To monitor and evaluate all projects, programs and activities pertaining to the welfare of the handicapped and to take appropriate steps to insure that they comply with established priorities, standards and guidelines;
- To undertake continuing research studies or surveys on various topics pertaining to the rehabilitation of the handicapped;
- To conduct public hearings, conferences, or meetings on any issues related to its areas of responsibility, as it deems appropriate;
- To maintain continuing educational, training and information programs to promote its objectives;
- To maintain such implementing mechanisms as may be necessary to enable it to perform its role as the national coordinating body for all agencies and organizations concerned with the handicapped;
- To prepare periodic reports to the President on the status of its activities;
- To seek the assistance of or to commission any department, bureau, office, agency, state university or college and other government instrumentalities in the form of personnel facilities and other resources when such assistance/commission is necessary for the attainment of its objectives;

- To supervise in coordination with line agencies pilot demonstration projects and programs;
- To establish standards and guidelines in the organization and management of rehabilitation facilities and programs;
- To encourage the setting up of an office to disseminate information and relevant materials;
- To make recommendations which would guarantee the establishment of a data banking system, to compile the latest information, statistics and materials pertaining to rehabilitation and related disciplines;
- To encourage the setting up of a Central Reference Office for disabled clients in need of assistance and to establish linkages to maintain an effective referral system.

SEC. 5. Composition of the Commission. All functions and powers of the Commission shall be vested in a Board of Commissioners, hereinafter referred to as the "Board" which shall be composed of a chairman who shall be appointed by the President and the following as members:

- Director-General, National Economic and Development Authority
- Secretary of Health
- Secretary of Labor
- Secretary of Social Services and Development
- Secretary of National Defense
- Secretary of Education and Culture
- The Presidential Assistant on Legal Affairs
- President of the Philippine Foundation for the Rehabilitation of Disabled, Inc.
- President of Veterans Federation of the Philippines
- Two disabled persons to be selected by the Commission
- Three representatives from the private sector as members.

SEC. 6. Duties of the Chairman.—The Chairman shall perform the following duties:

- To call and preside over the meetings of the Board;
- To disburse, administer and obligate funds of the Commission, subject to the approval of the Board;
- To conduct and manage the affairs of the Commission;
- To ensure that the decisions and policies of the Board are implemented;
- To sign for and represent the Commission;
- To accept on behalf of the Commission, gifts, grants or donations and to administer, obligate and disburse the same in accordance with policies and regulations promulgated by the Board;
- To organize permanent or ad-hoc committees, consisting of Members of the Board or such other experts as are deemed necessary for the discharge of the functions of the Commission.

SEC. 7. The Secretariat.—The Philippine Foundation for the Rehabilitation of Disabled, Inc. shall serve as the

Secretariat for the Commission and will provide the machinery to coordinate policy functions, implementation of programs and the organization of such services as may be required by the Board in the exercise of its functions.

The Secretariat shall be headed by the Executive Director of the Philippine Foundation for the Rehabilitation of Disabled, Inc., who will also act as Action Officer and Secretary for the Commission.

PFRD will be reimbursed for the actual cost of services performed or the Commission, upon certification by the PFRD President and approval of the Chairman.

SEC. 8. Meetings.—The Board shall meet every month or oftener at the call of the Chairman.

Five (5) members of the Board shall constitute a quorum. However, when a decision is made by such a quorum, it must carry the unanimous vote of all five members to be valid.

Members of the Board shall receive no compensation, but shall be entitled to travelling, representation and other allowances.

SEC. 9. Appropriations.—There is hereby appropriated the sum of one million five hundred thousand pesos out of any funds in the National Treasury not otherwise appropriated as initial operating funds of the Commission. Thereafter, such amounts as shall be needed for the continued operation of the Commission shall be regularly included in subsequent annual general appropriation acts.

SEC. 10. Donations.—The Commission shall be authorized to receive grants, donations, contributions or gifts in whatever form and from whatever sources, which will then be administered, obligated or disbursed in accordance with the terms thereof, or, in the absence of such terms, in such manner as the Board may determine. All such grants, donations, contributions or gifts to the Commission shall be exempt from customs duties, income and gift taxes and shall be deductible in full and shall not be included for purposes of computing the maximum deductible under Section 30, paragraph of the National Internal Revenue Code, as amended.

SEC. 11. Definition of Terms.—The following terms as used in this decree shall have the meanings indicated below:

- Disability. The lack of or impairment of a physical or mental development or function of an individual resulting from disease, illness, accident, injury or social trauma, occurring pre-natally or acquired post-natally, thereby imposing limits or barriers to independent living, intersocial relationships, mobility, education and employment.
- Handicap. A disadvantage suffered by a person which makes achievement unusually difficult because of some physical and/or psycho-social impairment. It also refers to the cumulative effect of obstacles which the disadvantage interposes between the individual and his maximum functional level.
- Rehabilitation. The restoration of the disabled or handicapped to the fullest physical, mental, social and economic usefulness of which he is capable within the limitations of the disability or handicap.

SEC. 12. Repealing Clause.—All laws and executive orders, or parts thereof, contrary to, or inconsistent with the provisions of this Decree are hereby repealed, amended or modified accordingly.

SEC. 13. Effectivity.—This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA

Presidential Assistant

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