



Republic of the Philippines
City of Bago
OFFICE OF THE SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 12-14

AN ORDINANCE ESTABLISHING THE BAGO CITY PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) AND PROVIDING FUNDS FOR ITS OPERATION AND MAINTENANCE AND FOR OTHER PURPOSES.

Explanatory Note:

WHEREAS, the Philippine Constitution in the Declaration of Principles and State Policies mandates that the State shall promote social justice in all phases of national development;

WHEREAS, Article 13 Sec. 2 of the Constitution includes persons with disability as one of the priority sectors to be given access to essential goods and services at affordable cost;

WHEREAS, Art. 13, Sec. 13 of the Constitution further provides that the State shall establish "a special agency for disabled persons for their rehabilitation, self development and self-reliance and their integration into the mainstream of society".

WHEREAS, Toward this end the Congress of the Philippines enacted in 1992 R.A. 7277, otherwise known as the Magna Carta for Disabled Persons directing National and Local government agencies to implement programs and services to ensure the full participation of PWDs in all aspects of community life;

WHEREAS, the Sangguniang Panglungsod is mandated by the Local Government Code of 1991 (R.A. 7160) to "Provide for the care of disabled persons, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children, and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; and, subject to availability of funds, establish and provide for the operation of centers and facilities for them (Title 2, Chapter 3, Art. 3, Sec. 447; Title 3, Chapter 3, Art.3, Sec. 458 and Title 4, Chapter, Art. 3, Sec. 468; respectively);

WHEREAS, in order to sustain and continuously carry out the task of monitoring, evaluation, data gathering, needs assessment, planning, establishment of production center, creation of job opportunities and advocacy in all provinces cities and municipalities as the case maybe, the need for establishing Persons with Disability Affairs Office (PDAO) as mandated by R.A. 10070, amending pertinent provisions of R.A. 7277, to serve as its structural organization for the implementation of the abovementioned purposes heretofore recommended.

NOW, THEREFORE, upon motion of Bernadette M. Somcio, duly seconded by SP Member Ma. Josefa Y. Matti,

Be it ordained by the Sangguniang Panlungsod of Bago City that:

Section 1. Establishing the Persons with Disability Affairs Office (PDAO) and the Mandate of the Local Government Unit (LGU).

- (a) There shall be established in Bago City a Persons with Disability Affairs Office (PDAO) under the Office of the City Mayor.
- (b) The LGU shall enter into a joint venture with the existing 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 Persons with Disability's .

Section 2. Appointment of a Persons with Disability (PWD) Affairs Officer

- (a) The City Mayor shall appoint a PWD affairs officer who shall manage and oversee the operations of the office, pursuant to the mandate under R.A. No. 10070. Priority shall be given to qualified PWDs to head and man the said office to carry out the functions.

Section 3. The Persons with Disability Affairs Office shall carry out the following functions as mandated under R.A. No. 10070:

- (a) Formulate and implement policies, plans, programs for the promotion of the welfare of PWDs in coordination with concerned national and local government agencies;
- (b) Coordinate the implementation of this Republic Act No. 7277 or the Magna Carta for Disabled Persons, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- (c) Represent PWDs in meetings of local development councils and other special bodies;
- (d) Recommend and enjoin the participation of nongovernment organizations (NGOs) and people's organizations (PO's) in the implementation of all disability-related laws and policies;
- (e) Gather and compile relevant data on PWDs in the City;
- (f) 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;
- (g) 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;
- (h) Ensure that the policies, plans, and programs for the promotion of the welfare of PWDs are funded by both the national and local government;
- (i) Monitor fund raising activities being conducted for the benefit of PWDs;
- (j) 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
- (k) Perform such other functions as maybe necessary for the promotion and protection of the welfare of the PWDs.

Section 4. Budget. The City Social Services and Development Office shall prepare the budget estimate for the first year. However, it shall be the responsibility of the PDAO to prepare and submit to the Sangguniang Panlungsod their proposed budget for the succeeding years.

The Sangguniang in its yearly appropriation shall take into account the following in determining the amount necessary to carry out the function of the PDAO:

- (a) Income of the City;
- (b) The number of PWDs identified as against the total population;
- (c) The magnitude of the implementation of the program and services.


Section 5. Repealing Clause. All ordinances, resolutions, circulars, memoranda, or rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed and modified accordingly.

Section 6. Separability Clause. If for any reason, any portion or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 7. Effectivity Clause. This Ordinance shall take effect upon compliance of the mandatory posting and publication requirement prescribed under R.A. 7160 otherwise known as the Local Government Code of 1991.

Enacted, December 19, 2012.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held on December 19, 2012.

Attested: 
NICHOLAS M. YULO
City Vice Mayor-Presiding Officer


ATTY. BRIAN N. MARTIR
City Secretary

Approved this 21st day of December, 2012.


RAMON D. TORRES
City Mayor