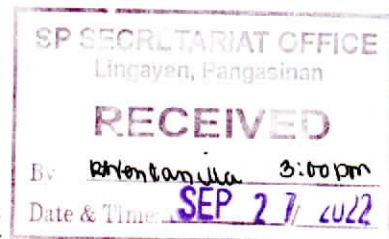




Republic of the Philippines
MUNICIPALITY OF LINGAYEN
Province of Pangasinan

Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF LINGAYEN, PANGASINAN HELD ON SEPTEMBER 12, 2022 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT: **Presiding Officer**
VICE-MAYOR MAC DEXTER G. MALICDEM

Sangguniang Bayan Members (SBMs)

SBM Jay Mark Kevin D. Crisostomo

SBM John Marc M. Lopez

SBM Ramon Anselmo M. Cuaresma

SBM Rodulfo Luigi F. Morosi

SBM Jasper S. Pasion

SBM Jonathan T. Ramos

SBM Von Carlo E. Tiangson

SBM Ricardo R. Ferrer

SBM Darwin B. Jimenez

– ABC President

SBM Gabriel Ivan C. Tuazon

– SKF President

ABSENT: None

Author: SBM Ramon Anselmo M. Cuaresma

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 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 and 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 society;

WHEREAS, National and Local Government agencies are directed to implement programs and services to ensure the full participation of Persons with Disabilities (PWDs) in all aspects of community life thru Republic Act No. 7277, otherwise known as the Magna Carta for Disabled Persons, and later on amended by R.A. No. 9442, R.A. No. 10070 and R.A. No. 10754;

WHEREAS, Republic Act No. 10070, also known as an Act to Establish an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in every Province, City and Municipality, mandates the creation of a Persons with Disability Affairs Office in all local government units;

WHEREAS, the Implementing Rules and Regulations (IRR) of RA 10070, signed on August 25, 2016 provides for the mechanism in the establishment of Person with Disability Affairs Office (PDAO) and the appointment of PDAO Focal Person in every local government unit;

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 cities and municipalities as the case maybe; the need for establishing a Persons With Disability Affairs Office (PDAO) to serve as its structural organization for the implementation of the above mentioned purposes;

WHEREFORE, on motion of SBM Ramon Anselmo M. Cuaresma, duly seconded by SBMs John Marc M. Lopez and Jonathan T. Ramos, be it:

RESOLVED AS IT IS HEREBY RESOLVED, to enact the corresponding ordinance.

ORDINANCE NO. 02, S-2022

AN ORDINANCE ESTABLISHING THE PERSONS WITH DISABILITY AFFAIRS OFFICE IN THE MUNICIPALITY OF LINGAYEN, AND FOR OTHER PURPOSES.

Be it enacted by the Sangguniang Bayan of Lingayen, Pangasinan in session duly assembled that:

Section 1. **Title.** This ordinance shall be known as the Persons with Disability Affairs Office (PDAO) Ordinance of Lingayen, Pangasinan.

Section 2. **Rationale.** Persons with Disabilities (PWDs), due to various kinds of restrictions in their abilities, are arguably the most disadvantaged sector in the society. Most of them even lacked the educational attainment necessary for self-advancement. Thus, the Municipal Government of Lingayen needs to consider the plight of the PWD sector as a priority concern. This ordinance provides a mechanism by which to uphold, promote and protect the rights and welfare of Persons with Disabilities in Lingayen, adopting measures for them to avail the privileges and incentives provided by law, and ensuring that they are made more proactive, responsible and productive stakeholders of society.

SECTION 3. **Definition of Terms.** For purposes of this Ordinance, the following terms shall mean:

1. **PDAO** – shall refer to the Persons with Disability Affairs Office
2. **PERSONS WITH DISABILITY/IES (PWDs)** – shall refer to those suffering from restriction of different abilities, as a result of mental, physical and sensory disorder and/or any other handicap/conditions which include but not limited to the following:
 - (a) **Visual Disability** – one who has impairment of visual functioning even after treatment and/or standard refractive correction, and has visual acuity in the better eye of less than (6/18 for low vision and 3/60 for blind), or a visual field of less than 10 degrees from the point fixation. A certain level of visual impairment is defined as legal blindness. One is legally blind when your best corrected central visual acuity in your better eye is 6/60 or worse, or your side vision is 20 degrees or less in the better eye.
 - (b) **Visually Impaired** – one who has the ability to perceive light, to count fingers at a distance of three (3) meters in daylight, and with limitation to perform certain visual tasks such as reading, writing and mobility.

- (c) Hearing Disability – one who has moderate or worse hearing impairment in the better ear, that is, the permanent unaided hearing threshold level of the better ear of 41 or 31 decibels or greater in age under 15 years old.
- (d) Hearing Impaired – one who has inability to hear clearly and tell the difference between certain sounds and words (or can hear a little without hearing aid) and or the complete, partial loss of the ability to hear from one or both ears; with 26 decibels or greater hearing threshold, averaged at frequencies 0.5, 1.0, 2.0, and 4.0 kilohertz.
- (e) Speech Impaired – one who has speech difficulty ranging from inability to speak to ability to speak but not sufficiently clear.
- (f) Orthopedically Handicapped – one who has a physical disability due to bones, joints, tendons and muscles defects such as post-polio, fracture.
- (g) Mentally Challenged – one who has mental retardation, a person who has significantly sub-averaged intellectual functioning resulting in or associated with concurrent adaptive behavior, in coping with any demand of daily life manifested through their sensory motor, communication, self-help, socialization, academic and vocational skills.
- (h) Attention Deficit Hyperactive Disorder – one who has a condition in the brain that makes it difficult to control their behavior.
- (i) Persons with Autism – one who has a lifelong developmental disability which typically appears during the first three years of life resulting from a neurobiological disorder that affects the functioning of the brain and interferes with the normal development in the areas of reasoning, social interaction and communication skills.
- (j) Learning Disability – one who exhibits disorders in perception, listening, reading, writing, spelling and arithmetic and/or any disorder in one or more of the basic psychological or physiological processes (perception, comprehension, thinking, etc.) involved in understanding or in using unspoken or written language.
- (k) Mental Disability – one who has disability resulting from organic brain syndrome (i.e. mental retardation, acquired lesions of central nervous system, or dementia) and or mental illness (psychotic or non-psychotic disorder).
- (l) Psychosocial Disability – one who acquired behavioral, cognitive, emotional or social impairment that limits one or more activities necessary for the effective interpersonal transactions and other civilizing processes or activities for daily living such as but not limited to deviancy or anti-social behavior.
- (m) Emotionally Disturbed Person – one who displays a significant behavior or psychological pattern that deviates from an arbitrary and relative social norm such as aggressive and acting out behavior or withdrawn behavior.
- (n) Other Handicap – one who has circumstances that may give rise to disadvantages, such as problems with cleft palate, harelip, etc.
- (o) Multi-Disability – one who has two or more disabilities such as those with mental retardation and blindness.

- (p) Chronic Illness – words to describe a group of health conditions that lasts a long time. It may get slowly worse over time or may become permanent or it may lead to death. It may cause permanent change to the body and it will certainly affect the person's quality of life.
 - (q) Congenital Diseases – diseases existing at and usually before birth which may have a hereditary or non-hereditary cause.
3. Federation of Persons with Disabilities - refers to a group composed of organizations of and for persons with disabilities from the national, regional, provincial and local levels.
 4. PWD Identification Cards - shall refer to the localized identification cards to be issued by the Municipality of Lingayen through PDAO which shall be required by persons, entities, and agencies before benefits made available to PWDs by virtue of law may be extended.

For clarity in coverage, the term —Persons with Disability/ies (PWDs) does not distinguish age, race, creed or religious belief, political affiliation, economic and social status. In addition, PWDs who are also Senior Citizens can have two Identification Cards; however, they shall invoke their rights to avail the benefits, privileges and incentives provided by law, using only one of the IDs at the time of availment.

SECTION 4. *Creation of Persons with Disability Affairs Office (PDAO) in the Municipality of Lingayen.*

There shall be established a Persons with Disability Affairs Office (PDAO) in the Municipality of Lingayen under the Office of the Municipal Mayor. The office shall be manned by the *Disability Affairs Officer I* who shall manage and oversee the operations of the office, pursuant to the mandate under R.A. No. 10070.

The municipality may appoint such number of PDAO personnel as are necessary to carry out the functions and objectives of PDAO, subject to fund limitation. For reasons of economy and expediency, interim appointments may be resorted to, and may be drawn from any department or office now existing within the LGU.

SECTION 5. *Functions of PDAO.* The Persons with Disability Affairs Office shall carry out the following functions, viz:

- (a) Formulate and implement policies, plans and programs for the promotion of the welfare of PWDs in coordination with concerned national government agencies, particularly the National Council for Disability Affairs (NCDA), and local government offices;
- (b) Coordinate the implementation of the provisions of Republic Act No. 7277 otherwise known as the —Magna Carta for Disabled Persons and For Other Purposes, as amended by Republic Act No. 9442 and Republic Act No. 10070; 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 non-government organizations (NGOs) and people's organizations (POs) in the implementation of all disability-related laws and policies;

- (e) Gather and compile relevant data on PWDs, in coordination with the Barangay Councils and the concerned national and local government offices;
- (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 report to the Office of the Municipal Mayor on the implementation of the programs and services for the promotion of the welfare of PWDs;
- (h) Ensure that the policies, plans and programs for the promotion of the welfare of PWDs are duly funded by both the national and local government;
- (i) Monitor fundraising activities being conducted for the benefit of PWDs;
- (j) Seek donations in cash or in kind from local and foreign donors to implement and approved work plan for PWDs, in accordance with existing laws and regulations; and
- (k) Perform such other functions as may be necessary for the promotion and protection of the welfare of the PWDs.

Section 6. **Functions of Disability Officer I.** The Disability Officer I shall have the following functions:

- 1) Manage the operation of the Persons with Disabilities Affairs Office (PDAO);
- 2) Develop, promote, and monitor the implementation of policies, programs and services for the development of Persons with Disabilities in coordination with national and local government agencies;
- 3) Ensure representation of persons with disabilities in the Local Development Councils and other special bodies;
- 4) Build the capacity of non-government organizations and people's organizations to participate in the implementation of all disability related laws and policies;
- 5) Establish coordination with the province, city or municipality, as the case maybe and ensure inclusion of disability concerns in all local government programs and services; and
- 6) Develop and submit to the Municipal Mayor an Annual Work or Financial Plan.

Section 7. **Local Committee on Disability Affairs.** The Local Committee on Disability Affairs is hereby created to serve as the policy and program planning committee to review and guide the direction and operation of the Office. This Board shall be composed, but not limited to the following:

Municipal Mayor – *who shall act as the Chairperson*
SB Committee Chairperson on Women, Children, Handicapped, and Gender Equality – *who shall act as Co-Chairperson*
Municipal Social Welfare and Development Officer
Municipal Health Officer
Municipal Legal Officer
Municipal Engineer
Municipal Budget Officer
Municipal Planning and Development Officer
Municipal Information Officer

President, Liga ng mga Barangay
President, Sangguniang Kabataan Federation
Municipal Local Government Operations Officer (MLGOO)
Schools Division Superintendent, Department of Education (DepEd)
President, Federation of PWDs

Section 8. **Registration of PWDs.** The PDAO should maintain and compile sex-disaggregated data/master lists thru the conduct of mapping and profiling of PWDs. A profiling tool will be developed in the conduct of the database. The MSWDO shall provide necessary technical support for the completion of the database/master listings.

Section 9. **Issuance of Identification Cards to PWDs.** Utilizing the master lists from the profiling conducted, the PDAO will issue ID cards to all PWDs in a manner ensuring maximum distribution coverage in an orderly manner. The IDs shall be made in a manner that would minimize cost, reduce the period of production and maximize the durability of each card. Each card must indicate the full name, address, date of birth of the holder and control number to be assigned and must be manufactured in a manner that would ensure authenticity. The PWDs identification cards shall not be transferrable and shall have a space on which the PWD affixes their signature. No PWD shall be charged any fee for the issuance of the PWD identification cards.

The Municipal PDAO shall ensure that the PWD Identification Card holders shall be allowed to avail of the privileges as mandated in issuances, policies and national laws.

Section 10. **Appropriation.** The Office of the Municipal Mayor shall prepare the budget estimate for the first year immediately following its establishment. However, it shall be the responsibility of the PDAO to prepare and submit to the Sangguniang Bayan their proposed budget for the succeeding years. The municipality shall ensure that the necessary fund is allocated for its operational costs and implementation of projects and programs to alleviate the welfare and the provision of basic services for the benefit of the PWDs of Lingayen.


Section 11. **Repealing Clause.** All ordinances, resolutions, executive orders, memorandum circulars and all other issuances or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

Section 12. **Separability Clause.** If for any reason or reasons, any part of this Ordinance is declared unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.

Section 13. **Effectivity.** This ordinance shall take effect upon the approval of the Sangguniang Panlalawigan and upon compliance of the posting and publication requirements as prescribed under the Local Government Code.

UNANIMOUSLY ENACTED. September 12, 2022.

ATTESTED:


GINA A. FLORES
Secretary to the Sanggunian

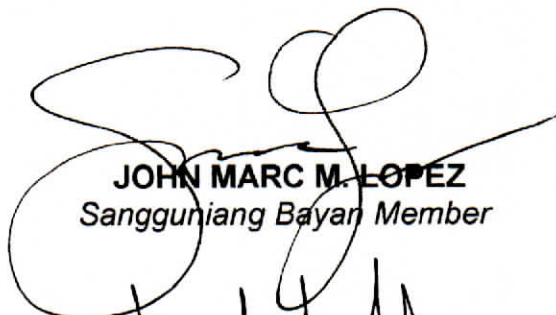
CERTIFIED CORRECT:



MAC DEXTER G. MALICDEM
Municipal Vice Mayor
Presiding Officer



JAY MARK KEVIN D. CRISOSTOMO
Sangguniang Bayan Member



JOHN MARC M. LOPEZ
Sangguniang Bayan Member



RAMON ANSELMO M. CUARESMA
Sangguniang Bayan Member



RODOLFO LUIGI F. MOROSI
Sangguniang Bayan Member



JASPER S. PASION
Sangguniang Bayan Member



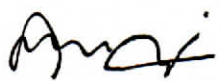
JONATHAN T. RAMOS
Sangguniang Bayan Member



VON CARLO E. TIANGSON
Sangguniang Bayan Member



RICARDO R. FERRER
Sangguniang Bayan Member



DARWIN B. JIMENEZ
Sangguniang Bayan Member
Association of Barangay Captains (ABC)
President



GABRIEL IVAN C. TUAZON
Sangguniang Bayan Member
Sangguniang Kabataan Federation (SKF)
President

APPROVED:



LEOPOLDO N. BATAOIL
Municipal Mayor

Received by: *Rita Dilac*
rsud

11/02/23