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MONCADA, TARLAC

EXCERPT FROM THE MINUTES OF THE 43rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2021 HELD ON THE 25th DAY OF OCTOBER, 2021 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT:

HON. JAIME O. DUQUE

.. VICE MAYOR/PRESIDING OFFICER

HON. RODOLFO C. ESPEJO, JR.

.. MEMBER

HON. ALBERTO C. MARZAN, JR., MD

.. MEMBER

HON. RUBEN V. GAMBOA, JR

.. MEMBER

HON. THELMAFLOR A. ESPEJO

.. MEMBER

HON. GEORGE MICHAEL P. AGUILAR

.. MEMBER

HON. JANIUS M. YASAY

.. MEMBER

HON. CELESTE A. AYSON

.. MEMBER

HON. CONSTANCE NESTOR A. FAVIS

.. MEMBER

HON. GEORGE R. CUCHAPIN, MD

.. LnB PRESIDENT

HON. EZEKIEL C. RIVERA

.. SKF PRESIDENT

ABSENT:

NONE

**MUNICIPAL ORDINANCE NO. 19
Series of 2021**

**AN ORDINANCE ESTABLISHING THE PERSONS WITH DISABILITY
AFFAIRS OFFICE (PDAO) IN THE MUNICIPALITY OF MONCADA AND
APPROPRIATING FUNDS THEREOF**

SPONSORED BY: COUN. THELMAFLOR A. ESPEJO

WHEREAS, Article 4.3 of the United Nation Convention on the Rights of Persons with Disabilities (UNCRPD) mandates the Philippine Government to closely consult with and actively involve persons with disabilities through their representative organizations in the development and implementation of legislation and policies to implement this international commitment;

WHEREAS, Article 13 of the same Constitution includes disabled persons 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/office for disabled persons for their rehabilitation, self-development and self-reliance and their integration into the mainstream of the society;

WHEREAS, the 14th Congress of the Philippines enacted Republic Act No. 10070, entitled "An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, Otherwise Known as The Magna Carta for Disabled Persons," on April 6, 2010;

WHEREAS, it is declared policy of RA No. 7277 that persons with disabilities are part of the Philippine society, and thus the State shall give full support to the improvement of their total well – being and their integration into the mainstream of society. They have the same rights as other people to take their proper place in society. The main objective of RA 10070 is to ensure that policies, programs and



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services for persons with disabilities are implemented at local level for them to fully participate in building an inclusive society for all;

WHEREAS, Section 1 of RA No. 10070 mandates the creation of Persons with Disabilities Affairs Office (PDAO) in every province, city and municipality and designation of a Focal Person in the fourth (4th), fifth (5th) and sixth (6th) class municipalities who shall perform the functions of PDAO;

NOW, THEREFORE, on motion by **COUN. THELMAFLOR A. ESPEJO**, duly seconded by **COUN. ALBERTO C. MARZAN, JR.**;

BE IT ENACTED by the Sangguniang Bayan of Moncada in session assembled, that:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the **“PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) ORDINANCE OF MONCADA 2021.”**

SEC. 2. LEGAL BASIS. – This Ordinance is based on the provisions of Republic Act No. 10070 entitled –AN ACT ESTABLISHING AN INSTITUTIONAL MECHANISM TO ENSURE IMPLEMENTATION OF PROGRAMS AND SERVICES FOR PERSONS WITH DISABILITIES IN EVERY PROVINCE, CITY AND MUNICIPALITY, AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE – MAGNA CARTA FOR DISABLED PERSONS, AS AMENDED, AND FOR OTHER PURPOSES.

SEC. 3. CREATION OF PDAO. There shall be established a Persons with Disability Affairs Office (PDAO) under the Office of the Mayor. The office of the PDAO shall be located at the Municipal Social Welfare and Development Office (MSWDO) or at such other place as may be determined by the Municipal Mayor.

For the purpose of this Ordinance, Persons with disabilities (PWDs) is defined as those who have long-term physical, mental, intellectual, learning, orthopedic, psychosocial, visual, speech, language or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

SEC. 4. PDAO FUNCTIONS. The Office shall perform the following functions as stated in RA No.10070:

- a) Formulate and implement policies, plans and programs for the promotion of the welfare of persons with disabilities in coordination with concerned national and local government agencies;
- b) Coordinate and implement the provision of RA No. 10070, Batas Pambansa Blg.344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- c) Represent persons with disabilities in meetings of local development councils and other special bodies;
- d) Recommend and enjoin the participation of Non-Government Organizations (NGOs) and People's Organization (POs) in the implementation of all disability-related laws and policies;
- e) Gather and compile relevant data on persons with disabilities in their localities;
- f) Disseminate information including, but not limited to programs and activities for persons with disabilities, statistics on persons with disabilities, including



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children with disability, and training and employment opportunities for persons with disabilities:

- g) Submit reports to the Office of the Mayor on the implementation of programs and services for the promotion of the welfare of persons with disabilities;
- h) Ensure that policies, plans and programs for the promotion of welfare of persons with disabilities are funded by both the national and local government;
- i) Monitor fundraising activities being conducted for the benefit of persons with disabilities;
- j) Seek donations in cash or in kind from local or foreign donors to implement an approved work plan for persons with disabilities, 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 persons with disabilities.

SEC. 5. CREATION OF PDAO POSITION.

- a. The Persons with Disability Affairs Office (PDAO) shall have the following personnel:

Position Title	Salary Grade
Disability Affairs Officer III	18

- b. Appointment to the position shall be subject to the qualification requirements provided by the Civil Service Commission.
- c. The PDAO position shall be subject to the publication and posting requirements under Republic Act No. 7041 otherwise known as "An Act Requiring Regular Publication of Existing Vacant Positions in Government Offices, Appropriating Funds Therefor, and for Other Purposes". All vacant positions shall be posted and announced in three (3) conspicuous places and published in the CSC Bulletin of Vacant Positions and official website of the concerned local government unit for at least fifteen (15) days. The announcements should indicate full details about the vacancy (position title, item number, the full qualification standards required, and the work station).
- d. Compliance with Republic Act No. 10524, An Act Expanding the Position Reserved for PWD, amending for the purpose of the 3rd Sentence of Section 5 in Title 2, Chapter 1 of Republic Act 7277, as amended, otherwise known as "Magna Carta for Persons with Disability", shall be observed and included in the publication. Qualified women with disabilities shall be encouraged to apply.

SEC. 6. BUDGETARY AND FINANCIAL REQUIREMENTS. Salaries and wages of personnel, maintenance and other operating expenses (MOOE) and Capital Outlay (CO) for PDAO shall be charged against the General Fund. The Municipal Government shall ensure that the necessary fund from any available local revenues is allocated for the implementation of this Ordinance for the benefit of PWDs in the Moncada. Section 4 of RA 10070 mandates that LGUs shall ensure that the necessary fund from any available local revenues is allocated for the implementation of the PDAO activities for the benefit of PWDs in their jurisdictions.

For the succeeding years of implementation, PDAO funding shall be included in the Municipal Annual Investment Program and Budget. The fund shall be used





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exclusively for the Persons with Disability Affairs Office (PDAO), including but not limited to its operational costs, implementation of programs, projects and activities that will promote the welfare of the PWDs and the provision of basic services.

SEC. 7. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed or modified accordingly.

SEC. 8. SEPARABILITY CLAUSE. If any provision or part hereof is held invalid or declared unconstitutional, the other provisions which are not affected thereby shall continue to be in full force and effect.

SEC. 9. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days following its posting in at least three conspicuous places in the municipality and likewise in the official social media platforms and website of the LGU of Moncada.

ENACTED, this 25th day of October 2021 at Moncada, Tarlac

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance which was enacted on THIRD and FINAL reading by the Sangguniang Bayan of Moncada, Tarlac during its 43rd Regular Session held on the aforementioned date and place.


VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


JAIME O. DUQUE
Vice-Mayor & Presiding Officer

APPROVED by HER HONOR, this 29th day of October, 2021.


ESTELITA M. AGUINO
Municipal Mayor

