

EXECUTIVE ORDER NO. 709

REDEFINING THE FUNCTIONS AND ORGANIZATIONAL STRUCTURE OF THE NATIONAL COUNCIL FOR THE WELFARE OF DISABLED PERSONS WHICH IS RENAMED AS THE NATIONAL COUNCIL ON DISABILITY AFFAIRS AND ATTACHED TO THE OFFICE OF THE PRESIDENT, AND AMENDING FOR THE PURPOSE EXECUTIVE ORDER 676 (2007) AND EXECUTIVE ORDER 232 (1987)

WHEREAS, the United Nations General Assembly adopted on 6 December 2006 the Convention on the Rights of Persons with Disabilities under Resolution A/61/611 which recognizes the need to promote and protect the human rights and fundamental freedoms of all persons with disabilities, and to promote the inherent dignity including those who require more intensive support;

WHEREAS, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities was also adopted by the United Nations General Assembly at its 48th session on 20 December 1993 by virtue of resolution 48/96 to ensure that persons with disabilities exercise the same rights and opportunities as others, and to recognize the principles and policy guidelines in influencing the preparation, formulation and evaluation of policies, plans, programs and projects at the national, regional and international levels to further equalize the opportunities for persons with disabilities;

WHEREAS, the World Programme of Action Concerning Disabled Persons was adopted by the United Nations General Assembly on 3 December 1982 by virtue of Resolution 37/52 to promote effective measures for the prevention of disability, rehabilitation and the realization of the goals of "full participation" of persons with disabilities in social life and development, and of "equality";

WHEREAS, the existing policy of the United Nations on disability provides the establishment of an office on disability affairs that should be under and attached to the highest office of the respective governments to facilitate coordination and monitoring of all matters attendant thereto;

WHEREAS, the 1987 Philippine Constitution Article 13, Section 13 mandates the state to establish a special agency for persons with disabilities for their rehabilitation, self-development and self-reliance, and their integration into the mainstream of society;



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WHEREAS, Republic Act 9442, Republic Act 7277 and Batas Pambansa Blg. 344 all provided the need for a strong agency to monitor and advocate the implementation of the programs and services for disabled persons of government agencies.

WHEREAS, Presidential Decree No. 1509 created the National Commission Concerning Disabled Persons to provide persons with disability the fullest measure of protection and assistance to develop their abilities;

WHEREAS, E.O. 232, Series of 1987 provided for the structural and functional reorganization of the National Council for the Welfare of Disabled Persons (NCWDP);

WHEREAS, the National Council for the Welfare of Disabled Persons (NCWDP), by virtue of E.O. 676, Series of 2007, was transferred from the Department of Social Welfare and Development (DSWD) to the Office of the President (OP);

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Philippines, by virtue of the powers vested in me by laws and the Constitution, do hereby order:

Section 1. Purpose. This Executive Order shall redefine the functions and organizational structure of the National Council for the Welfare of Disabled Persons (NCWDP) which shall be renamed as the National Council on Disability Affairs (NCDA) and which shall be attached to the Office of the President amending for the purpose Executive Order 676 (2007) and Executive Order 232 (1987).

Section 2. Powers and Functions of the Council. The National Council on Disability Affairs, hereinafter referred to as the "Council," shall have the following powers and functions:

1. Formulate policies and propose legislations concerning the rights and well being of disabled persons, and lead in the implementation of programs and services concerning the same,
2. Conduct consultative meetings and prepare symposia with all stakeholders, and undertake program evaluation and monitoring to ensure that comprehensive, relevant and timely programs and services are adequate and accessible to persons with disabilities;
3. Conduct researches and studies relevant to formulated policies to promote and enhance at all levels the rights of persons with disabilities;



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4. Establish, develop and maintain a data bank on disability in partnership with concerned government agencies and non-government organizations and strengthen the referral services to ensure availability of data to stakeholders and services to persons with disabilities including provision of assistive devices;
5. Establish and maintain linkages and networking with local and international organizations, including organizations of and for persons with disabilities to generate resources and to maximize utilization of existing resources and for purposes of convergence;
6. Serve as a national working body to promote and monitor implementation of national laws and international commitments;
7. Assist in the establishment of self-help organizations and the setting up of specific projects through the provision of technical and financial assistance to draw out the active participation of persons with disabilities in the social and economic development of the country. (Section 31, RA 7277).

Section 3. Composition of the Council. The National Council on Disability Affairs is composed of the Governing Board and its Secretaries. The Governing Board, hereinafter referred to as the "Board," shall be headed by a Chairperson coming from a non-government organization with the following members:

Department of Social Welfare and Development
 Department of Health
 Department of Labor and Employment
 Department of Education
 Department of the Interior and Local Government
 Department of Trade and Industry
 Department of Public Works and Highways
 Department of Transportation and Communications
 Department of Foreign Affairs
 Department of Justice

Philippine Information Agency

Technical Education and Skills Development Authority; and

Six (6) private individuals including two (2) representatives from NGOs with national network on Persons with Disabilities (PWD), two (2) disabled persons representing legitimate PWD organizations, and two (2) representatives from civic groups and cause-oriented organizations concerned with the welfare of PWDs, all of whom shall be appointed by the President upon the favorable recommendation of the Chairperson.



The heads of the concerned departments and agencies shall as much as possible attend the meetings of the Council. In their absence, department heads shall designate permanent and alternate representatives, preferably with the rank of Undersecretary and Assistant Secretary, respectively, who may attend and participate at meetings of the Board for them.

Section 4. The Chairperson, who shall be appointed by the President, shall be an automatic member of the Board and shall be co-terminous with the President. The Chairperson shall have the following duties and responsibilities:

1. To call and preside over the meetings of the Board and the Executive Committee.
2. To manage and administer the affairs of the Council and the Secretariat.
3. To monitor the implementation of policies approved by the Board.
4. To sign communications for the Board and represent the Board whenever necessary.
5. To solicit and accept, on behalf of the Board, gifts, grants or donations in accordance with government rules, regulations and policies.
6. To execute contracts in the pursuit of the Council's objectives as may be authorized by the Board, in accordance with government rules and regulations.
7. 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 functions and objectives of the agency.

The Chairperson shall be the link between the Board and the Secretariat. As such, the Chairperson not only presides over all board meetings, but is also the chief executive officer over the operating units of the organization.

The Chairperson shall have the rank, privileges and emoluments of an Undersecretary. The Chairperson shall be assisted in his/her duties and responsibilities by an Assistant Secretary to be appointed by the President upon the recommendation of the Chairperson.

Section 5. The Executive Committee. There will be an Executive Committee chaired by the Board Chairperson composed of the eight (8) Subcommittee Chairpersons and one (1) PWD who is a regular member of the Board chosen by the Chairperson. The NCDA Executive Committee will resolve policy issues or program recommendations before presentation to the Board.



Section 6. Sub-Committees. The Board shall have the following sub-committees:

1. Sub-Committee on Accessibility on Built Environment and Transportation – chaired by the DPWH
2. Sub-Committee on Training, Employment and Livelihood – chaired by the DOLE
3. Sub-Committee on Auxiliary Social Services – chaired by the DSWD
4. Sub-Committee on Health – chaired by the DOH
5. Sub-Committee on Information, Communications and Technology – chaired by the DOTC
6. Sub-Committee on Advocacy – chaired by the PIA
7. Sub-Committee on Education – chaired by the DepEd
8. Sub-Committee on International Disability Network – chaired by the DFA

The members of the sub-committees shall be selected by the Sub-Committee Chairperson from among the members of the Board and other experts on their specific areas of concern.

The Board may create such other sub-committees and task forces as may be deemed necessary to carry out its functions.

Local Government Units (LGUs) are encouraged to create local committees on disability affairs and may designate a coordinator for PWD programs and services. Funds for such purpose may be sourced out by the LGUs concerned from their respective annual appropriations pursuant to Sections 35 and 36 of the Local Government Code.

Section 7. The Secretariat. The Board shall have a Secretariat which will provide the machinery to coordinate functions, organize services, monitor policies and plans and evaluate the implementation of programs and services for persons with disabilities as may be required by the Board in the exercise of its functions. It shall be headed by an Executive Director, who shall be appointed by the Chairperson upon the favorable recommendation of the Board. The Chairperson shall also appoint the other officers and staff of the Secretariat upon the favorable recommendation of the Board.

The main divisions of the Secretariat shall be as follows:

1. Office of the Executive Director
2. Administrative Division
3. Programs Management Division
4. Information, Education and Communication Division
5. Technical Cooperation Division



Section 8. Donations. The Council, through the Chairperson or such other official as may be authorized by the Board, shall solicit and accept gifts, grants and donations in accordance with government rules, regulations and policies.

The gifts, grants and donations shall be administered or disbursed by the Council for the purpose for which they were given or in the absence of such, as the Board may determine, in accordance with applicable laws, rules and regulations.

Section 9. Appropriations. By virtue of this Executive Order renaming National Council for the Welfare of Disabled Persons (NCWDP) as National Council on Disability Affairs (NCDA), the appropriations for NCWDP will automatically be considered as funds of NCDA.

Section 10. Repealing Clause. All ordinances, rules and regulations, other issuances or parts thereof that are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 11. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 26th day of February, in the Year of Our Lord, Two Thousand Eight.

James B. Lingay

By the President:

Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary



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