

WHAT IS R.A 9422?

Rule1. Section1. These Rules shall be known and cited as the Rules and Regulations Implementing Republic Act. No. 9422, an act Amending Republic Act 7277, Otherwise known as the Magna Carta for disabled Persons , and for other Purposes Granting Additional Privileges and Incentives and Prohibitions on verbal , Non-verbal Ridicule and Vilification Against persons with Disability.

WHAT IS THE PURPOSE OF THE LAW?

- To facilitate integration of disabled persons into the mainstream of society, the State shall advocate for and encourages respect for disabled persons. The State shall exert all efforts to remove all social, cultural, economic , environmental and attitudinal barriers that are prejudicial to disabled persons.
- The State also recognizes the role of the private sector in promoting the welfare of disabled persons and shall encouraged partnership in programs that address their needs and concerns.
- Disabled persons have the same rights as other people to take their proper in society. They should be able to live freely and as independently as possible.



WHERE DO WE GO FOR HELP?

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CATANDUANES STATE UNIVERSITY
GENDER AND DEVELOPMENT SERVICES

REPUBLIC ACT 9442

An Act Amending the "Magna Carta for Persons with Disability as Amended, and For Other Purposes" granting Additional Privileges and Incentives and Prohibitions on Verbal, Non-verbal Ridicule and Vilification Against Persons w/ Disability."

POLICIES AND OBJECTIVES

Rule II Section 4. It is objectives of Republic Act No. 9442 to provide persons with disability, the opportunity to participate fully into the mainstream of society by granting them at least twenty percent (20%) discount in all basic services. It is declared policy of RA 7277 that persons with disability are part of 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. They have the same rights as other people to take their proper place in society. They should be able to live freely and as independently as possible. This must be the concern of everyone the family, community and all government and non-government organizations. Rights of persons with disability must never be perceived as welfare services. Prohibitions on verbal, non-verbal ridicule and vilification against persons with disability shall always be observed at all times.

PERSONS WITH DISABILITY

Rule III Section 5.1 - Persons with disability are those individuals defined under Section 4 of RA72777. An act providing for the rehabilitation, self-development, self-reliance of persons with disability as amended and their integration into the mainstream of society and for other purposes. This is defined as a person suffering from restriction or different abilities, as a result of mental, physical or sensory impairment, to perform an activity in a manner or within the range considered normal for human being. Disability shall mean: 1. A physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual. 2. A record of such impairment or; 3. Being regarded as having such an impairment.

EDUCATIONAL PRIVILEGES

Rule 4, Section 6.7 - Educational Assistance to persons with disability for them to pursue primary, secondary, tertiary, post-tertiary, as well as vocational or technical education in both public and private schools through this provisions of scholarships, grants, financial aids, subsidies and other incentives to qualified persons with disability including support for books, learning materials, and uniform allowance, to the extent feasible: provided that persons with disability shall meet the minimum admission requirements set by the Department of Education (DepEd), Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESA) and other entities engage in the grant of scholarship and financial assistance for the education of persons with disability, For the purpose of this rule, primary education shall include nursery and kindergarten, whether in private or public school. The source of funding in addition to the private education student financial assistance (PESFA), funds scholarships for the implementation of the above shall be the one percent (1%) allocation of persons with disability in DepEd, CHED, TESDA and other training and educational government agencies as required by general appropriation act subject to the guidelines issued by the DepED, CHED and TESDA.

PROHIBITIONS ON VERBAL, NON VERBAL RIDICULE AND VILIFICATION AGAINST PERSONS WITH DISABILITY

Rule V Section 7. Deliverance from Public Ridicule - Public ridicule shall be defined as an act making fun or contemptuous imitating or making mockery of persons with disability whether in writing , or in words, or in action due to their impairment/s. The following constitutes acts of public ridicule:

- Making fun of person on account of his/her disability even through jokes in a matter that is degrading resulting to the embarrassment of the person with disability in front of two or more persons.;
- Making mockery of a person with disability whether in oral or in writing.
- Imitating a person with disability in public gatherings, stage shows, carnivals, television shows, broadcast media and other forms of entertainments that are offensive to the rights and dignity of persons with disability or any other similar acts;

No individual group or community shall execute any of these acts of ridicule against with disability in any time and place which could intimidate or result in loss of self-esteem of the latter.

Rule V. Section 8 Deliverance from Vilification

Vilification shall be defined as:

The utterance of slanderous and abusive statements against a person with disability such as but not limited to (1.) calling a person with disability in public which results to humiliations (2) using the disability of a person as an example in a manner that is embarrassing and humiliating to the dignity of persons with disability.

- An activity in public which incites hatred towards serious attempts for or severe with person with disability
- Any individual, group or community is hereby prohibited from vilifying any person with disability which could result into loss of self-esteem of the latter.

PENALTIES

Rule VI Section 9. Any person who violates any provision of this Act shall suffer the following penalties:

- For the first violation , a fine of not less than P50,000.00 but not exceeding P100,000.00 or imprisonment of not less than six months but not more than two years, or both at the discretion of the court and,
- For any subsequent violation, a fine of not less than P100,000 but not exceeding P200,000 or imprisonment not less than two year but not more than six years or both at the discretion of the court.
- Any person who abuses the privileges granted herein shall be punished with imprisonment of not less than six months or fine of not less than five thousand but not more than fifty thousand or both, at the discretion of the court.
- If the violator is a corporation, organization or any similar entity, the officials thereof directly involved, shall be liable therefore.
- If the violator is an alien or a foreigner, he shall be deported immediately after service of sentence without further deportation proceedings
- Upon filing of an appropriate complain, and after due notice and hearing, the proper authorities may also cause the cancellation or revocation of the business permit, permit to operate, franchise and other similar privileges granted to any business, entity that fails to abide by the provisions of this Act.