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**IMPLEMENTATION BEGINNING YEAR 2011:-**

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### Explanatory Note

The multifarious needs of the Senior Citizens and the Persons with Disabilities (PWDs) necessitate an increase in the budget allocation for these sectors. The senior citizens, now mostly in their twilight years, need more attention and care from the government to whom these senior citizens have dutifully served in various capacities during their more productive years. The present and future generations owe their existence and comfort from these senior citizens. On the other hand, the persons with disabilities (PWDs) are generally the most neglected sector, the marginalized among the marginalized sectors, the "hoi poloi" or faceless people in our society. They too, like the senior citizens, need greater attention and care.

The usual budget allocation of one percent (1%) for both senior citizens and PWDs has to be revisited immediately and adjusted accordingly. Budget increase is necessary and timely. And there is no legal impediment for this.

Yearly, since year 2003, the General Provisions of the General Appropriations Act would state that "the plans, programs and projects intended to address the concerns of senior citizens and differently-abled persons shall be integrated in the regular activities of the agencies which shall be **at least** one percent (1%) of the respective budgets." DBM-DSWD Joint Circular No. 2003-01 dated April 28, 2003 would echo the said GAA provision on budget allocation. Thus, there is no prohibition on adjusting upward the one-percent budget allocation, when warranted.

Additionally, budgetary support is in line with the "Philippine Plan of Action for Older Persons 2006-2010", and the "Philippine Decade of Persons with Disabilities 2003-2012" declared under Proclamation No. 240. Moreover, the Philippines being a member-State of the United Nations (UN) has to observe the "Convention on the Rights of Persons with Disabilities" and of other international commitments like the "Millenium Development Goals", the "Biwako Millenium Framework for Action Towards an Inclusive, Barrier-Free and Rights-Based Society for Persons with Disability", as amended and further improved by "Biwako Plus Five".

This Ordinance, proposing at least one percent (1%) budget allocation for the senior citizens and another no-lesser-than one percent (1%) budget for the PWDs, is nothing when compared to the budget allocation of the other similarly situated sectors.

Comparatively, one percent (1%) of IRA is automatically appropriated for the Children's Fund (Local Council for the Protection of Children) in both the City Government and the Barangays. And this is on top of the appropriations for the youth -the Sangguniang Kabataan (SK) Fund - that comprise 10% of the General Fund of the respective barangays. In addition, the city's budget for Gender and Development, which is mostly directed to the welfare of the women sector, comprise at least 5% of the total budget appropriations both by the city and the barangays. Furthermore, the urban poor sector has 10% of the city's annual appropriation net of Personal Services.

Clearly, this proposed increase in budget allocation has a sound factual and legal basis.

Be it enacted by the Sangguniang Panlungsod that:

**SECTION 1. Mandate.** Beginning year 2011, the Senior Citizens and the Persons with Disability/ies (PWDs) sectors shall each have an increased budget allocation. No less than one percent (1%) of the city and barangay budget shall be allocated for each sector. Provided, that the budget for plans, programs and activities of the City Government offices and departments, and of the Barangays, which redound to the benefit of Senior Citizens and Persons with Disability (PWDs) shall be deemed part of the compliance with the one percent (1%) budgetary requirement for either sector.

The City Government of Naga and the various Barangay Councils in the City of Naga are hereby tasked to implement/incorporate this increase in its budget preparations for the year 2011 and the succeeding years.

**SECTION 2. Modes of Compliance.** Compliance for this Ordinance shall be either of the following modes, namely:

**2.1 Lump Sum Method,** wherein the one percent allocation for each sector is appropriated as one whole amount. (Example: Total Appropriation multiplied by two percent and then divided by two. Thus, Senior Citizens and Persons with Disability shall have one percent each.)

**2.2. Mixed Method, or the Combination of Lump Sum Method and of Charges to Various Regular Programs and Budget Allocations,** wherein the one percent of the allocation for both sectors is computed based on the Lump Sum Method and then divided equally, such that Senior Citizens and Persons with Disability may have one-half of one percent each. The other one percent may be charged to various regular programs and budget allocations, like the funds for health, education, livelihood, gender and development, children, youth, and other programs; provided, that compliance under this Mixed Method is clearly identified and presented during the approval of the appropriation budget.

A variation under this Mixed Method is allowed; provided, that the allocation based on Lump Sum Method is no less than eighty percent (80%) of one percent, and then divided equally between the two sectors; provided further, that the herein decreed increased budget allocation for Senior Citizens and Persons with Disability is fully satisfied.

The herein formula for modes of compliance shall be observed even when the minimum allocation for Senior Citizens and Persons with Disability is adjusted later on."

**SECTION 3. Fund Disbursement.** All fund disbursements for the various plans/programs/activities for the benefit of the senior citizens and the persons with disability/ies shall be based on a Work and Financial Plan duly approved by the City Mayor, or by the Punong Barangay concerned.

**SECTION 4. Sectoral Participation.** The preparation for this Work and Financial Plan shall be with the utmost participation of the sector concerned. No plan shall be approved unless it originates from, or is in consultation with, the sector. At the city level, the participation and endorsement of the federation officers of both the Senior Citizens and the Persons with Disabilities (PWDs) is necessary. At the barangays, the respective Barangay Senior Citizens Association (BASCA) shall be similarly involved; however, the Persons with Disability sector shall be treated differently, but with more compassion and care, in view of the uniqueness of their situation/condition. The Persons with Disabilities Affairs Office (PDAO) shall provide guidance on this regard.

**SECTION 5. Repealing Clause.** All locally-issued directives, regulations or agreements inconsistent with this Ordinance are hereby repealed or amended accordingly.

**SECTION 6. Effectivity.** This Ordinance shall take effect immediately upon approval.

**SECTION 7. Wide Information Dissemination.** This Ordinance shall be furnished to all Barangay Councils in the City of Naga and the respective federated organizations for senior citizens and persons with disability/ies, for their information and guidance. Moreover, this ordinance shall be published in at least one newspaper of local circulation.

Adopted: December 17, 2010.

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**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

**GABRIEL H. BORDADO, JR.**  
City Vice Mayor &  
Presiding Officer

**APPROVED:**

**JOHN G. BONGAT**  
City Mayor