



JOINT DTI-DA-DOE ADMINISTRATIVE ORDER NO. 17-01
Series of 2017

SUBJECT: AMENDMENTS TO JOINT DTI-DA ADMINISTRATIVE ORDER (JAO) NO. 02, SERIES OF 2008 entitled "Granting of Discounts to Persons with Disability on the Purchase of Basic Necessities and Prime Commodities Pursuant to R.A. No. 9442, otherwise known as the Magna Carta for Disabled Persons"

WHEREAS, pursuant to Republic Act No. 9442 and its Implementing Rules and Regulations (IRR), to the extent possible, the government may grant special discounts in special programs for persons with disability on purchase of basic necessities and prime commodities;

WHEREAS, Republic Act No. 10623 amended certain provisions of Republic Act No. 7581, otherwise known as the Price Act, by, among others, expanding the definition of the terms basic necessities and prime commodities;

WHEREAS, Republic Act No. 10623 reclassified fresh fruits as basic necessity while swine and cattle feeds had been deleted in the list of prime commodities;

WHEREAS, Republic Act No. 10623 included potable water in bottles and containers, locally manufactured instant noodles, household liquefied petroleum gas and kerosene in the list of basic necessities;

WHEREAS, under Republic Act No. 10623 vinegar, patis, and soy sauce and toilet/bath soap, livestock feeds and fishery feeds and veterinary products are included in the definition of prime commodities;

WHEREAS, the 5% discount granted to PWDs for the purchase of basic necessities and prime commodities listed herein is separate and distinct from the 20% discount provided under R.A. 10754 entitled "An Act Expanding the Benefits and Privileges of Persons with Disability (PWD)" and its IRR;

WHEREAS, under Republic Act No. 10754, the government may grant, to the extent possible, special discounts in special programs for PWD on purchase of basic commodities, subject to the guidelines to be issued for the purpose by the Department of Trade and Industry (DTI) and the Department of Agriculture (DA);

WHEREAS, Section 11 of the Implementing Rules and Regulations of Republic Act No. 10754 enumerates the proof of entitlement to the grant of special discount;

NOW, THEREFORE, pursuant to Republic Act No. 10754 in relation to R.A. No. 10623, the following Order is hereby prescribed for the information, guidance and compliance of all concerned:

Section 1. For purposes of this Joint Administrative Order, the terms "basic necessities" and "prime commodities", as defined under Section (2) of JAO No. 02, Series of 2008, are redefined and expanded as follows:

(a) "Basic Necessities" – are goods vital to the needs of consumers for their sustenance and existence. For purposes of this Order, basic necessities shall include:

1. All kinds and variants of rice
2. Corn
3. All kinds of bread (Pastries and cakes not included)
4. Fresh, dried and canned fish and other marine products (including frozen and in various modes of packaging)
5. Fresh pork, beef and poultry meat
6. All kinds of fresh eggs (excluding quail eggs)
7. Potable water in bottles and containers
8. Fresh and processed milk (excluding milk labelled as food supplement)
9. Fresh vegetables including root crops
10. Fresh fruits
11. Locally manufactured instant noodles
12. Coffee and coffee creamer
13. All kinds of sugar (excluding sweetener)
14. All kinds of cooking oil
15. Salt
16. Powdered, liquid, bar laundry and detergent soap
17. Firewood
18. Charcoal
19. All kinds of candles
20. Household liquefied petroleum gas, not more than 11kgs. LPG content once every five (5) months) bought from LPG dealers
21. Kerosene, not more than 2 liters per month.

(b) "Prime Commodities" – are goods not considered as basic necessities but are essential to consumers. For purposes of this Order commodities shall include:

1. Flour
2. Dried, processed and canned pork, beef and poultry meat
3. Dairy products not falling under Section 1(a) of this Order

4. Onions and Garlic
5. Vinegar, patis, and soy sauce
6. Toilet/Bath soap
7. Fertilizer
8. Pesticides
9. Herbicides
10. Poultry feeds, livestock feeds and fishery feeds
11. Veterinary products
12. Paper, school supplies
13. Nipa shingle
14. Sawali
15. Cement, clinker, GI sheets
16. Hollow blocks
17. Plywood
18. Plyboard
19. Construction nails
20. Batteries (excluding cellphone and automotive batteries)
21. Electrical supplies and light bulbs
22. Steel wires

In order to avail of the 5% special discount, the person with disability shall purchase the above mentioned commodities from a **retailer** who may be a natural or juridical person engaged in the business of selling consumer products directly to consumers, which shall include, among others, supermarkets, grocery stores, convenience and mini-convenience stores and shops but excluding stalls in food courts, food carts, food vendors and sari-sari stores with a capitalization of less than One Hundred Thousand Pesos (PhP100,000.00), public and private wet markets, "talipapa" and cooperative stores;

For purposes of this Order, the following terms are hereby defined:

1. **"LPG dealers"** – shall refer to any person engaged in the business of selling or trading of LPG in cylinders to consumers or retail outlets, under contract with an oil company or marketer who owns a brand, and with qualified service men in its employ.
2. **"Electrical supply"** –the following definition provided by the the International Electrotechnical Commission (IEC) is hereby adopted:

Electric Supply System for Safety Services as supply system intended to maintain the operation of essential electrical installation and equipment: - for the health and safety of persons and livestock, and/or – if required by national regulations, to avoid damage to the environment and to other equipment (Note – The supply system includes the source and the electric circuits up to the terminals of electric equipment. In certain cases it may also include the equipment).

3. **"Steel Wire"** - ordinary low carbon steel wire is defined as a steel wire of circular cross-section, produced from wire rod conforming to PNS 77/Adm. 01 that has been drawn and thus, cold worked. As per PNS 77/Amd. 01, low carbon steel wire rods are carbon steel wire rods of grades 1005 to 1023. It can be classified into three types as follows:

- Plain low carbon steel wire - an ordinary low carbon steel wire of circular cross-section with smooth surface
- Annealed low carbon steel wire - an ordinary low carbon steel wire that has been annealed after cold working
- Zinc-coated low carbon steel wire - an ordinary low carbon steel wire annealed and coated with zinc either by hot-dipped or electrolytic galvanizing

Section 2. Discount – Every person with disability shall enjoy a special discount of five percent (5%) of the regular retail price, without exemption from the value-added-tax (VAT), of basic necessities and prime commodities listed under Section 2.1 and 2.2 of this Order. The total amount of said purchase shall not exceed the amount of One Thousand Three Hundred Pesos (PhP1,300.00) per calendar week without carry over of the unused amount. Provided, that said amount shall be spent on items listed under Sections 1(a) and 1(b) of this Order commensurate to his/her personal and exclusive consumption and/or enjoyment within the calendar week. Provided, further that said amount shall be spent on at least four (4) kinds of items listed under Section 1(a) and (b) of this Order.

The privilege herein granted shall not be claimed if the person with disability claims a higher discount as may be granted by the retail establishment.

In cases where the person with disability is also a senior citizen (SC) entitled to a 5% discount under his/her valid senior citizen identification card (ID), the PWD shall use either his/her PWD ID card or OSCA-issued ID card to avail oneself of the 5% discount upon presentation of both booklets issued by the concerned agencies.

Section 3. Section 4 of JAO No. 02, series of 2008 is hereby modified to read as follows:

"Section 4. Valid Identification Documents – To avail of the discount benefits and other privileges under R.A. No. 9442, the PWD, or his/her duly authorized representative, may present as proof of eligibility any of the following:

Section 4.1. Identification card issued by the Persons with Disability Affairs Office (PDAO) or the City/Municipal Social Welfare and Development Office (C/MSWDO) of the place where the person with disability resides;

Section 4.2. The passport of the person with apparent disability concerned;

Section 4.3. An identification card issued by the National Council on Disability Affairs (since issuance of IDs are localized). This is on a case-to-case basis for emergency purposes only, provided that the PWD ID number coding shall be retained in accordance with the official residence of the person with disability, as decided on the issue regarding dual citizenship.

The same benefits and privileges shall be made


available to Filipinos who hold foreign passports but are registered as dual citizens and Filipinos who have re-acquired their Filipino citizenship thru Republic Act No. 9225 or the Citizenship Retention and Re-acquisition Act of 2003.

- Section 4. Complaints Handling.** All complaints pertaining to violation of this Order shall be directed either to the National Council on Disability Affairs (NCDA), or to the Persons with Disability Affairs Office (PDAO) or the City/Municipal Social Welfare and Development Office (CMSWDO). Any complaint received by the DTI pertaining to this Order shall be endorsed to the appropriate NCDA or PDAO.
- Section 5 Separability Clause.** In the event that certain provisions of this Order is declared unconstitutional, the validity of the other provisions shall not be affected by such declaration.
- Section 6. Repealing Clause.** The provisions of the Department Orders, Rules and Regulations and other issuances of each implementing agency which are inconsistent with this Order are hereby repealed or modified accordingly.
- Section 7. Publication and Effectivity.** This Order shall take effect fifteen (15) days upon its publication in a newspaper of general circulation. Three (3) copies of this Order shall be sent to the National Administrative Register at the University of the Philippines Law Center and the Official Gazette.


Issued this 17th day of February 2017 in Makati City, Philippines.

APPROVED BY:

IMPLEMENTING AGENCIES


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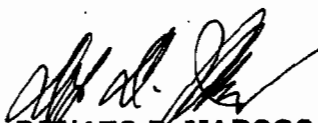

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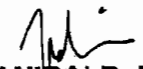

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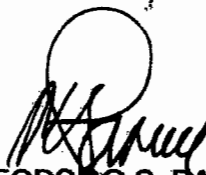


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