



Bangko Sentral ng Pilipinas

OFFICE OF THE DEPUTY GOVERNOR SUPERVISION AND EXAMINATION SECTOR

CIRCULAR LETTER NO. CL-2008- 066

To : All Banks and Non-Bank Financial Institutions under BSP Supervision

Subject : Batas Pambansa Bilang 344 – An act to enhance the mobility of disabled persons by requiring certain buildings, institutions, establishments and public utilities to install facilities and other devices

It has come to the knowledge of the Bangko Sentral ng Pilipinas (BSP) that certain financial institutions under BSP supervision have not yet complied with Batas Pambansa Bilang (B.P. Blg.) 344. In view thereof, all banks and non-bank financial institutions under BSP supervision are hereby again reminded of the provisions of the said law, particularly on Section 1 thereof. It is, likewise, covered by Subsection X606.10 of the Manual of Regulations for Banks (MORB); and, Subsections 4651Q.9 and 4657S.9, and Sections 4657P and 4157N of the Manual of Regulations for Non-Bank Financial Institutions (MORNBFI), which provide as follows:

“In order to promote the realization of the rights of disabled persons to participate fully in the social life and the development of the societies in which they live and the enjoyment of the opportunities available to other citizens, no license or permit for the construction, repair or renovation of public and private buildings for public use, educational institutions, airports, sports and recreation centers and complexes, shopping centers or establishments, public parking places, workplaces, public utilities, shall be granted or issued unless the owner or operator thereof shall install and incorporate in such building, establishment, institution or public utility, such architectural facilities or structural features as shall reasonably enhance the mobility of disabled persons such as sidewalks, ramps, railings and the like. If feasible, all such existing buildings, institutions, establishments, or public utilities may be renovated or altered to enable the disabled persons to have access to them: x x x”

Further, Section 4 of B.P. Blg. 344 provides that:

“Any person violating any provision of this Act or of the rules and regulations promulgated hereunder shall, upon conviction by a court of competent jurisdiction, suffer the penalty of imprisonment of not less than one month but not more than one year or a fine of P2,000 to P5,000 or both, at the discretion of the court: Provided, That in the case of corporations, partnerships, cooperatives or associations, the president, manager or administrator, or the person who has charge of the construction, repair or renovation of the building, space or utilities shall

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be criminally responsible for any violation of this Act and/or rules and regulations promulgated pursuant thereto."

The above penalty is without prejudice to the sanctions imposed by Section 37 of Republic Act No. 7653, The New Central Bank Act, for any willful failure or refusal to comply with, or violation of, any banking law or any order, instruction or regulation issued by the Monetary Board, or any order, instruction or ruling by the Governor.

A copy of the complete text of B. P. Blg. 344, including its implementing rules and regulations (IRR) can be accessed at the website of the National Council on Disability Affairs at www.ncda.gov.ph.

For your guidance and strict implementation


NESTOR A. ESPENILLA JR.
Deputy Governor

08 October 2008