

PALESTINIAN DISABILITY LAW

Law Number 4 for the Year 1999 Concerning the Rights of the Disabled

**The Chairman of the Executive Committee of the Palestine Liberation Organization
The President of the Palestinian National Authority**

**After reviewing the draft law presented by the Council of Ministers
And pursuant to the presentation of the Minister of Social Affairs
And after the approval of the Legislative Council
We hereby promulgate the following Law**

Chapter One Definitions and General Provisions

Article one

In applying the provisions of this Law, the following words and terms shall have the meanings designated hereunder unless stipulated otherwise.

<i>The Minister</i>	Ministry of Social Affairs.
<i>The Minister</i>	The Minister of Social Affairs
<i>The disabled</i>	Any individual suffering from a permanent partial or total disability whether congenital or not in his/her senses or in his/her physical, psychological, or mental capabilities to the extent that it restricts the fulfillment of his/her normal living requirements in a manner not usually faced by those without disabilities.
<i>The disabled card</i>	The card that specifies the group of services which the disabled is entitled to receive through an organized program.
<i>Rehabilitation</i>	The package of services, activities and social, psychological, medical, educational, and professional aid that enable the disabled to exercise his/her right independently and with dignity
<i>Protected workshops</i>	The centers which are designated for rehabilitating, sheltering, and employing those disabled suffering from severe mental disabilities.
<i>Public place</i>	Any building, or path, or road, or another place that provides public services to the citizens.
<i>Accessibility</i>	Rendering public places and work premises suitable for use by the disabled.

Article Two

The disabled have the right to enjoy a free life, dignified living, and various services in a manner equal to that of other citizens and he/she shall have the same rights and obligations that are within his/her capabilities. It is not permissible to prevent any disabled from enjoying these rights because of his/her disability.

Article Three

The state shall guarantee the protection of the rights of the disabled and shall facilitate their attainment. The Ministry shall coordinate with the competent bodies to prepare an awareness program for the disabled, his/her family, and his/her local environment regarding the rights stipulated in this Law.

Article Four

It is permissible pursuant to this Law for the disabled to establish their own organizations and societies,

Article Five

1. The state shall provide the disabled with rehabilitation in all its forms in accordance with the requirements of the nature of the disability. The contribution of the disabled shall not exceed 25% of the expense.
2. The disabled shall be exempt from this contribution for resuming the occupation.

Article Six

Pursuant to the provisions of the law, the following shall be exempt from fees, customs, and taxes:

1. All medical and education equipment as well as aid instruments, and transportation means necessary for the registered schools and organizations of the disabled.
2. Private transportation means for use by the disabled individuals.

Article Seven

Pursuant to a request by the Ministry, government agencies shall submit their annual reports and plans pertaining to the services provided by them to the disabled.

Article Eight

Pursuant to the provisions of this Law, and in coordination with the Ministry, the competent ministry shall issue and shall grant the technical licenses necessary for operating and practicing services, programs, and activities provided by the non-government sector to the disabled as well as to supervise them.

Article Nine

The state shall set the regulations and limitations that guarantee the right of the disabled to be protected against all forms of violence, exploitation, and discrimination.

Chapter Two

Responsibilities for Providing Services

Article Ten

The Ministry shall be in charge of coordination with all relevant and competent bodies to secure the welfare and rehabilitation of the disabled in the following spheres.

1. In the social sphere
 - a. To determine the nature of the disability, its degree and the extent to which it affects the family of the disabled, and to provide the appropriate assistance.
 - b. To provide special shelter services to the severely disabled and deserted individuals.
 - c. To support the protection centers.
 - d. To issue the disabled card.
2. In the Health Sector
 - a. To diagnose and classify the level of disability'.
 - b. To guarantee health services that are included in the government health insurance free of charge both to the disabled individual and to his/her family.
 - c. To provide and upgrade the early detection services for disabilities.
 - d. To provide the necessary medical equipment and tools to assist the disabled individual in accordance with Article Five of this Law.
 - e. To provide curative and preventive services that aim at reducing the rate of disability in society.
3. In the education sector
 - a. To guarantee the right of the disabled to attain equal opportunities to enroll in the various educational and training facilities and in universities in accordance with the curricula determined in these establishments.
 - b. To provide the educational analysis essential for determining the nature of the disability and its extent.
 - c. To provide appropriate educational and training curricula and approaches and other suitable facilities.
 - d. To provide various types and levels of education to the disabled individuals according to their needs.
 - e. To prepare qualified educators to train the disabled according to the type of disability.
4. In the rehabilitation and occupational sphere
 - a. To prepare qualified technical personnel to work with the various types of disabilities.
 - b. To guarantee the right to be enrolled in the various rehabilitation and vocational training facilities pursuant to the various applicable laws and bylaws on the basis of equal opportunity and to provide appropriate vocational training program:~ for the disabled.
 - c. To compel government and non-government organizations to absorb a number of disabled individuals provided that the number is not less than 5% the number of staff in each organization. The absorption shall be consistent with the nature of work of these institutions, and the work place shall be suitable for the employment of these

- individuals.
- d. To encourage the employment of the disabled in private institutions by deducting part of the salaries from the income tax fixed on these institutions.
5. In the sphere of sports and leisure
 - a. To provide sports and leisure opportunities to the disabled by rendering the facilities of sports grounds, halls, clubs and summer camps suitable to the conditions of the disabled and to equip them with the necessary equipment and provisions.
 - b. To support the participation of the disabled individuals in national and international sports activities and programs.
 - c. To reduce the entry fee of the disabled into the government cultural, leisurely and historical sites by 50%.
 6. In the popular awareness sector
 - a. To carry out public awareness Campaigns about disability in all respects including its causes, consequences and needs.
 - b. To publish information and data regarding prevention in order to reduce the level of disability in society.
 - c. To publish general guidance and awareness material for the purpose of integrating the disabled individuals in society.
 - d. To use sign language in television.

Article Eleven

The state shall strive to incorporate sign language in the government services and facilities.

Chapter Three

The Accessibility of Public Places for the Disabled

Article Twelve

The objective of accessibility is to achieve an appropriate environment for the disabled that ensures their easy and independent movement and the safe usage of public places.

Article Thirteen

1. Accessibility is obligatory on the relevant bodies unless:
 - a. It threatens the historic and ancient character of the public place.
 - b. It inflicts risk and danger to the safety and security of the public place.
 - c. C It costs more than 15% of the value of the public place.
2. With respect to the aforementioned circumstances stated in clauses (a. b, and c) above, the relevant and competent bodes shall find appropriate alternatives that ensure the accessibility of the public place to the disabled individuals.

Article Fourteen

The Ministry of Education and the Ministry of Higher Education shall guarantee the provision of an environment suitable to the needs of the disabled in schools, colleges, and universities.

Article Fifteen

In Coordination with the relevant bodies, the Ministry of Local Government shall be responsible for compelling private and government institutions to adhere to the technical, engineering, and architectural requirements and standards that should be furnished in old and new public buildings and public facilities for the service of the disabled.

Article Sixteen

The Ministry of Transportation shall strive to prepare an appropriate environment to facilitate the movement of the disabled and Shall grant special discounts for the disabled and their companions in public transportation means.

Article Seventeen

The Ministry of Telecommunications shall provide the necessary facilities to enable the disabled to use the equipments, devices, end facilities of telecommunications

Chapter Four Concluding Provisions

Article Eighteen

My provision in contravention with the provisions of this Law shall be repealed

Article Nineteen

The Council of Ministers shall promulgate the necessary bylaws to implement the provisions of this Law.

Article Twenty

All competent bodies, each according to its competencies, shall implement the provisions of this Law, which shall enter into force on the date of its publication in the official Gazette.

Issued In Gaza city on 9 August 1999

Corresponding with ___/___/1419 Hegira

**Yaser Arafat
The Chairman of the Palestine Liberation Organization
The President of the Palestinian National Authority**