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NATIONAL COUNCIL ON PERSONS WITH DISABILITY

Persons with Disability Amendment Bill, 2020

March 2020

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Memorandum

The purpose of the proposed bill is to provide a legal and institutional framework to -

- a) promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms of Persons with Disabilities;
 - b) To domesticate and bring into effect the UN Convention on the rights of persons with disabilities into Ghana's legal framework;
- and
- c) To domesticate the sustainable development goals into Ghana's legal framework.

The 1992 Constitution in its bill of rights chapter guarantees the enjoyment of all the fundamental rights and freedoms to the citizens of Ghana regardless of status. Under article 29, the Constitution recognizes persons with disabilities and prohibits discrimination based on disability. In addition, Article 40 promotes the respect of international law and treaty obligations. 15 percent of Ghana's population (five million people) are persons with disabilities, a significant population that has not received adequate attention in terms of their rights. They face extreme human rights violations stemming from the social, political, economic and cultural aspects. They are stigmatized, discriminated, excluded and left behind in most of the mainstream programs. The Parliament of the Republic of Ghana ratified the UN Convention on the rights of persons with disabilities on the 22nd of August 2012 and accepted to implement the rights and obligations stipulated under the treaty. The national Council on Persons with Disabilities through the minister for gender submitted her initial report to the Committee on the rights of persons with disabilities for review on the progress of implementation of all the rights enshrined in the Convention. The major obligations of the Government are to promote and ensure the equal enjoyment of all the fundamental rights and freedoms by persons with disabilities on an equal basis with others by respecting, protecting and fulfilling these rights.

The Parliament in fulfilling its obligation enacted the Persons with Disability Act 715 in 2006 pursuant to Article 29(8) of the 1992 Constitution to ensure the enforcement of the rights of persons with disabilities enshrined under the Constitution. The Act takes account of the sovereignty and welfare principle enshrined under Article 1 of the Constitution and provides specifically for the protection of the rights of persons with disabilities as guaranteed by the Constitution, being the first of its kind to focus on the legal protection of persons with disabilities in Ghana's legal framework. However, considering the fact that Act 715 was enacted before the adoption and ratification of the UN Convention on the rights of persons with disabilities, it is very likely that 14

years later, many of the rights promulgated by the Convention would be missing in this Act, calling for its amendment.

The Act does not conform to the human rights standards and commitments that promote the rights of persons with disabilities. Organizations of persons with disabilities and civil society have made a number of efforts to advocate for the amendment of the persons with disabilities Act. They have taken a step by conducting a gap analysis to indicate to Government the need to amend the Persons with Disabilities Act.

Act 715 in its current form manifests fundamental gaps that do not conform to the obligations stipulated under the UN Convention on the rights of persons with disabilities. Although the CRPD does not bring in new rights, it is celebrated for emphasizing the rights of persons with disabilities, and introducing a paradigm shift of a social model that recognizes the existing barriers that hinder the effective participation of persons with disabilities in society on an equal basis with others as opposed to the functional limitations of viewing disability brought about by the medical model.

The CRPD introduces new concepts of inclusion, reasonable accommodation, accessibility, universal design, communication, language including sign language which is lacking in the interpretation section of the Act.

The Act lacks principles and values to guide the implementation of the law. The amendments of the Persons with Disabilities Act will be guided by the principles and values of equity, inclusion, respect for fundamental human rights and leave no one behind. These principles include:

- (a) Respect for the inherent dignity, individual autonomy including the freedom to make choices and independence of persons with disabilities
- (b) Non-discrimination;
- (c) Full, effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and difference;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women with disabilities;
- (h) Respect for the evolving capacities and rights of and identities of a child with disability;
- (i) Reasonable accommodation;
- (j) The best interest of the child;
- (k) Will and preference;

The Act explores the welfare principle promulgated in the Constitution as opposed to the rights of persons with disabilities prescribed by the UN Convention on the rights of persons with disabilities. The interpretation section 59 provides a definition of disability which is based on a medical model and excludes other categories of persons with

disabilities. Therefore, we need to review the definition and harmonize it with that of the Convention. Specific rights that are inherent to persons with disabilities including rights of women under article 6, rights of children under Article 7, the inherent right to life under Article 10, Right to protection and safety in situations of risk and humanitarian emergencies under Article 11, right to equal recognition before the law under Article 12, liberty and security of a person under Article 14, freedom from torture or cruel, inhuman or degrading treatment or punishment under Article 15, protecting the integrity of the person under Article 17, right to liberty of movement and nationality under Article 18, freedom of expression, opinion and access to information under Article 21, respect for privacy under Article 22 and participation in the political and public life under Article 29, statistical data for persons with disabilities under Article 31 among others . Even the existing rights in the present Act in respect to access to public places and services, employment, equality and non-discrimination, need to be reviewed to conform strictly to the aspirations of the UN Convention on the rights of persons with disabilities.

The mandate of the Council needs to be strengthened by reviewing its functions and legal obligations to conform to the amended provisions during the implementation due to the unique needs of persons with disabilities. These unique needs start right from the time persons with disabilities are born to retirement. They range from the provision of assistive devices, disability allowance, support services, reasonable accommodation among others. It is important for the new amendments to establish a national disability fund to cater for these needs.

In addition, the Act suffers from poor drafting errors especially structural errors that ought to be corrected no matter how minimal. Key provisions such as access to sporting events, festivals and cultural activities and participation in national events which ought to be highlighted for their national importance are placed in the part of the Act dealing with miscellaneous provisions. In most instances, it is unclear which subsection of a particular section is rightly attributable to certain provisions of the Act purporting to be subsections and where there is clarity, the style of numbering the subsections are inconsistent. For example, sections 10, 12, 13, 14, 16, 20, 24, 26, 41, 42, 44, 45, 46, 47, 49, 51, 52, 53, 56, and 57 contain the above mentioned deficiencies. The provisions are unclear as they make reference to their specific subsections difficult.

As noted earlier, although Act 715 dealt with rights to employment, education, transport and health care, it is not detailed enough to protect the rights of persons with disabilities. It is therefore necessary to amend or review the Persons with Disability Act in order to qualify the Act as one that conforms to the substantive scope and content of the UN Convention on the rights of persons with disabilities. The proposed amendments should explicitly strengthen measures to address multiple discrimination persons with disabilities face as stipulated in the constitution, the UN Convention on the rights of persons with disabilities. Therefore, in order to ensure that protection measures provided by the Government are clear and explicit, the object of the proposed bill should be to domesticate the UN Convention on the rights of persons

with disabilities into Ghana's legal framework and to align the Persons with Disability Act with the aspirations of the Convention.

Act 715
THE SEVEN HUNDRED AND FIFTEENTH
ACT
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED
PERSONS WITH DISABILITY AMENDMENT BILL, 2020

A BILL FOR AN ACT OF Parliament to amend the Persons with Disability Act (715); To give legal protection to persons with disabilities; to promote the equal enjoyment of all the human rights and fundamental freedoms by persons with disabilities; obliging the Ministries, Departments and Agencies to adopt both human rights approach that recognizes the removal of the existing barriers hindering the effective participation of persons with disabilities, and a twin track approach to mainstream disability in inclusive development.

DATE OF ASSENT:

ENACTED by the Parliament of Ghana

Section 1 Right to family life and social activities

- (1) A person with disability shall not be deprived of the right to live with that person's family or the right to participate in social, political, economic, creative or recreational activities;

- (2) Any laws, cultural norms, practices and customs that are inconsistent with the above provisions shall be declared null and void to the extent of their inconsistency.
- (3) Any person who contravenes this section commits an offence and is liable upon conviction to a fine not exceeding twelve thousand penalty units or to a term of imprisonment not exceeding five years, or both.

Section 2 Right to Life

- (1) Every person with a disability including the child and baby with disability has the inherent right to life regardless of gender and category of disability;
- (2) No person shall cause the death of persons with disabilities including babies and children with disabilities;
- (3) Protection of the unborn child with disability; the life of the unborn child with disability shall be guaranteed protection by this law, and no mother or medical doctor shall be allowed to terminate the life of the unborn on the basis of their disability;
- (4) Every death of a child or person with disability shall be documented and investigated;
- (5) The National Council on Persons with Disability shall take all effective and appropriate measures to ensure the effective enjoyment of the right to life by babies, children and adults with disabilities on an equal basis with others;
- (6) Every new born child with disability shall have the right to adequate feeding, in case where breastfeeding is impossible, the ministry of health shall provide adequate nutritional support including feeding devices recommended by the medical officer;
- (7) Any person who terminates the life of the unborn child or causes death of a baby, child or person with disability on the basis of their disability commits murder and shall be liable upon conviction in accordance with the Criminal procedure Act;

Section 3

Social Protection and adequate Standard of living for Persons with Disabilities

(1) Persons with disabilities and their families shall be guaranteed an adequate standard of living including adequate food, housing, clothing, and to a continuous improvement of living conditions;

(2) The social welfare department shall have a disability unit in every district and the disability unit shall:

(a) Register every child with disability within 2 weeks of assessment;

(b) Assess the level of disability based on the recommendation from a team of professionals appointed by the Council;

(c). Organize a family and home assessment for every child with disability and make recommendations in the best interest of the child;

- (3) Persons with disabilities shall enjoy the right to social protection benefits in line with their needs;
- (4) Social Benefit Scheme for persons with disabilities shall include:
 - (a) Workers with disabilities in the formal sector shall be entitled to retire on their disability allowance;
 - (b) Older persons with disabilities in the informal sector and those out of employment shall be entitled to access social benefits schemes and programmes;

Section 4 Establishment of a Disability Fund

There shall be a Disability Fund established by the Council to adequately provide for the needs of babies, children and adults with disabilities throughout their lifespan.

Funding of the Act and Regulations

All relevant ministries, departments and agencies shall ensure that their budgets incorporate a component of disability.

In the purchase of goods and services, all procurement entities shall ensure that 10 percent of the procurement proposals complies with disability standards.

Section 5 Non- Differential Living Conditions for persons with disabilities at the District level

- (1) Except as otherwise required by the condition or the need for improvement of a person with disability, a person shall not subject a person with disability to differential living conditions in respect of residence at the district;
- (2) Every person with disability and their families shall have the right to independent living, support services and access to a range of in-home services, including personal assistance and reasonable accommodation to realise their inclusion in the community on an equal basis with others;
- (3) The National Council on persons with disability shall develop a system of support services including support persons to improve the wellbeing of persons with disabilities in their communities;

- (4) Persons with disabilities living in the community shall not be stigmatized on the basis of their disability as this shall be treated as disability based discrimination;
- (5) Every person with disability and their families living in the District shall enjoy the policies, programs, development projects, planning and budgets at the District;
- (6) Every person with disability and their families living in the District shall have the right to access decentralized services rendered at the District on equal basis with others;
- (7) All service providers shall be under legal obligation to provide the same quality of services to persons with disabilities without discrimination;
- (8) All initiatives and programs of the district assemblies shall be inclusive to persons with disabilities;
- (9) Depending on the severity or kind of the case, either the Magistrate Court, or the High Court shall hear and determine an application made by a person in pursuance of this Section and may make such orders, and give such directions as it may consider appropriate for the purpose of enforcing any of the provisions of this Act.
- (10) Any person found guilty of an offence under this section shall be liable to a fine not exceeding two thousand penalty units or imprisonment not exceeding two years or both;
- (11) Nothing in this Act shall preclude an aggrieved person with a disability or their family from seeking other civil remedies.

Section 6 Right to Equality and Non-discrimination

- (1) Every person with disability is equal before the law in the social, cultural, economic, political and any other field of life;
- (2) The State shall take effective and appropriate measures to guarantee protection to persons with disabilities, caregivers, support persons and parents from discrimination within their families and communities;
- (3) and is guaranteed without discrimination to protection, benefit of the law and to effective legal protection against discrimination on all grounds;

- (4) Every person with disability shall be entitled to the equal enjoyment of goods, facilities, services and reasonable accommodations to bring about de facto equality to persons with disabilities;
- (5) Special measures that are intended to accelerate or achieve equality and eliminate discrimination against persons with disabilities including reasonable accommodation and support services shall not be considered discrimination;
- (6) Discrimination of persons with disabilities by public and private entities at any levels of life is prohibited.

Section 7 Prohibition of torture, inhuman or degrading treatment and punishment

- (1) No person with disability including babies and children with disabilities shall be subjected to any form of torture, inhuman, cruel, or degrading treatment or punishment;
- (2) Babies and children with disabilities shall be protected from torture, inhuman, degrading treatment or punishment.
- (3) Under no conditions shall persons with psychosocial disabilities, children with learning disabilities, children with developmental disabilities and survivors of psychiatry be subjected to torture or inhuman or degrading treatment and punishment;
- (4) Persons with disabilities including persons with psychosocial disabilities, children with learning disabilities; users and survivors of psychiatry shall not without their free and informed consent be subjected to medical and scientific research, and forced sterilization.
- (5) Any person who subjects a person with disability to the conditions specified in this Section commits an offence and is liable upon conviction to a fine not exceeding eight thousand penalty units or up to five years imprisonment or both.

Section 8 Protection from Abuse, exploitation and violence

- (1) Every person with disability has a right to be protected against all forms of abuse, neglect, exploitation, Gender based violence, domestic violence, and physical, mental, or emotional violence.
- (2) Abuse, exploitation and violence shall be prohibited in all settings at all places including, home, care houses, educational institutions, hospitals and other institutions, workplaces and any other place where a person with disability resides, cohabits or is employed.
- (3) Any person who has reason to believe that an act of exploitation, neglect, violence or abuse has been, or is being, or is likely to be committed against any person with disability, shall give information about it to law enforcement agencies in whose jurisdiction such incident occurs or is likely to occur and such agencies shall take immediate steps on receipt of such information to stop it and have the person responsible for it arrested, or if it has not occurred to prevent its occurrence.
- (4) Any person who fails to comply with the provisions of subsection 2 commits an offence and is liable upon conviction to a fine not exceeding one thousand penalty units or imprisonment for a period of six months or both.

Section 9 Right of access to Justice

- (1) Every person with disability has a right to effective access to justice on an equal basis with others, including through the provision of procedural and ageappropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, at investigative and other preliminary stages;
- (2) Persons with disabilities shall access Legal Aid services on equal basis with others.

Section 10

Access to public places and premises

- (1) The owner or occupier of a place to which the public has access shall ensure that the place is accessible to and available for use by persons with disabilities;
- (2) Persons with disabilities shall be entitled to a barrier-free and disabilityfriendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their inclusion;
- (3) Every person with disability has the right to accessibility as an essential precondition to enable him or her to live independently and participate fully in all aspects of life and shall have the right to be provided with such accessibility to the physical environment, transportation, information and communications, including age-appropriate technologies and systems, and other facilities and services including emergency services open or provided to the public;
- (4) An owner or a person in charge of a building to which the public is allowed access shall subject to the requirements of the laws on building standards, the legal requirements of occupiers liability and other relevant laws—
 - i. Provide appropriate access for persons with disabilities to the building including ramps, rails, lifts, large doors for wheelchair users, accessible toilets, flash lights to guide the deaf, braille signage for the blind and marked walk ways to guide the blind in the building;
 - ii. Appropriate accessibility for persons with disabilities shall comply with the Ghana Accessibility Standard on the Built environment, Universal Design and any other certified standard guidelines on accessibility;
- (5) Where the owner of a public building or a place to which persons with disabilities have access, fails to comply with Ghana accessibility standards on the built environment, The National Council on Persons with disabilities shall apply to court for an order to have their licenses or certificate withdrawn by the certifying bodies;

- (6) Any person who contravenes Section 9 commits an offence and is liable on conviction to a fine not exceeding five thousand penalty units or imprisonment not exceeding one year or both;
- (7) The Court shall cause the owners of public places used by persons with disabilities through an order to make the necessary changes to provide access to the built environment.

Section 11

Access to Public Services

- (1) Any person who provides service to the public shall put in place the necessary facilities that make the service available and accessible to persons with disabilities;
- (2) A person who provides services to the public on commercial basis shall put in place the necessary facilities that make the commercial services available and accessible to persons with disabilities;
- (3) A person who contravenes this section commits an offence and is liable on conviction to a fine not exceeding five thousand penalty units or a term of imprisonment not exceeding one year or both.

Section 12

Access to Information, Communication, and Technology services.

- (1) Every person with disability has the right to access information, communication and other services; the freedom to seek, receive and impart information and ideas for the realization of the right to freedom of expression and opinion;
- (2) The Ministers responsible for information and communication shall put in place mechanisms to ensure that persons with disabilities receive information in accessible formats;

- (3) Any medium including social media, media houses, internet service providers, mobile companies, and publishers that publishes information for the general public shall be obliged to ensure that that information is provided in accessible formats for all categories of persons with disabilities including braille, sign language, easy to read, augmentative and alternative communication among others.
- (4) It shall be the duty of the public and private sector including the media and other communication agencies to provide information to persons with disabilities in accessible formats including live transcribe technology for the deaf;
- (5) Electronic and technological services open or provided to the public shall be in accessible formats including augmentative and alternative mode of communication; easy to read, pictorial, symbols, sign language, braille, large print, digital materials accessed through screen readers, tactile signage in a timely manner and without additional cost to persons with disabilities;
- (6) Where the public or private institution fails to comply with the provisions of this section, The National Council on Persons with disabilities shall apply to court for an order to have its license suspended and shall not be reinstated until the institution complies.

Section 13 Employment of persons with disabilities

- (1). Every person with disability within the working age group shall be guaranteed the right to employment with equal pay for equal work on an equal basis with others.
- (2). The Ministry responsible for Employment and Labor Relations including Employment Agencies shall in collaboration with the National Council on Persons with Disability adequately provide for strategies to secure jobs for persons with disabilities on equal basis with others; and shall ensure that persons with disabilities constitute a key target group in the recruitment by the public and private employment agencies;

- (3). The Ministry responsible for employment and labor relations shall adopt equitable policies to promote the realization of the right to employment of persons with disabilities;
- (4). An employer who employs 10% of employees with disabilities shall be allowed deductions of up to 10% on the chargeable income as may be provided for by the Income Tax Act.
- (5) Any employer who employs persons with disabilities with specialized skills including managerial position to the lowest standard shall be provided with the tax incentives mentioned under subsection 4 of this Act.
- (6) All persons with disabilities employed in the public and private sector shall be exempted from tax in order to cater for their disability related expenses.
- (7) An employer shall not reduce a person with disability's remuneration on account of the tax exemption.
- (8) A person with disability engaged in a business shall be entitled to a tax holiday of ten years and an annual tax rebate of five percent of the taxable income upon the expiry of the tax holiday.
- (9) Persons with disabilities shall be exempted from property rate.
- (10). Employers of persons with disabilities shall provide the relevant support and reasonable accommodation in compliance with Sections 11, 12 and 13 of this Act, so that employees with disabilities shall be able to perform their work effectively on equal basis.

Section 14

Rehabilitation of Workers who acquire disability at the Workplace

- (1). Where a person in employment suffers a disability on the job, the employer shall provide counselling services, re-train and provide the needed support and reasonable accommodation for a period of 12 months to enable the employee with disability to continue on the job.

(2). Subsection (1) of this Section shall not deprive the employee with disability any other relief which the employee is entitled to under the Workman's Compensation Act, 1987 (PNDCL187).

(3) Any person who acquires a disability during employment shall be entitled to be reinstated back to their employment upon rehabilitation or given a different position with the same remuneration;

(4) Under exceptional circumstances, where a person with disability by reason of an accident is beyond the working condition, he or she shall receive compensation in accordance with the Workman's Compensation Act;

(5) Any employer who decides to compensate a person with disability on account of their disability and fails to reinstate him/her back to the job, commits an offence punishable by law and is liable upon conviction to a fine of eight thousand penalty units, or to a term of imprisonment for a period not exceeding three years or both.

Section 15 Appropriate training for the unemployed persons with disabilities

(1) The National Council on Persons with Disability shall keep a disaggregated data of persons with disabilities searching for jobs;

(2) Where a person with disability's name remains on a job search list for more than two years, the National Council on Persons with Disability shall where applicable

- a. Give that person with disability appropriate training,
- b. Provide that person with disability with the necessary working tools and materials, and
- c. Recommend and facilitate access to loan services for parents of persons with disabilities with high support needs and persons with disabilities themselves to start a business

(3) A Person with disability who sells the tools or materials received under this section and the person who buys the tools or materials given to a person with disability under this section commit an offence and each person is liable on summary conviction to a fine not exceeding three thousand penalty units or to a term of imprisonment not exceeding one year or both.

- (4) Where the person with disability has multiple disabilities and is not in the position to work, the Council shall enroll the person on Social benefit schemes.

Section 16 Rehabilitation Centres

- (1) The Ministry responsible for persons with disabilities shall progressively establish rehabilitation centres in each region and districts which shall be universally designed for all categories of persons with disabilities;
- (2) A rehabilitation centre shall offer guidance, counselling, peer support and appropriate training for persons with disabilities to enable them enter into the mainstream of social life.
- (3) A rehabilitation centre shall be provided with staff having in-depth knowledge in disability studies and disability law and other facilities that are necessary for the performance of its functions.
- (4) All current staff employed by the existing rehabilitation Centres shall be trained in disability law/studies to understand the rights of persons with disabilities;

Section 17

Community Based Rehabilitation

The National Council on Persons with disability shall adopt strategies to ensure that persons with disabilities including persons with psychosocial disabilities and survivors of psychiatry are rehabilitated in their districts and mainstreamed into development agenda.

Section 18

The promotion of inclusive education and non-discrimination in educational services

- (1) An institution shall not discriminate against pupils or students with disabilities on the basis of their disability

(2) Each district shall provide schools to aid the education of all categories of children with disabilities within a period of five years of coming into force of this Act including:

- I. Inclusive schools;
- II. Special schools;
- III. Respite day care centers.
- IV. Respite boarding centers;
- V. Boarding special schools; VI. Full time care homes;

(3) An institution of learning that enrolls a pupil or student with a disability shall:

- (a) Put in place an inclusive education system for the pupil or student;
- (b) and make the necessary structural adjustments to the teaching and learning environment, of an institution of learning, including reading and learning materials as well as the teaching pedagogy to enable access to inclusive quality education by a pupil or student with a disability from the date of admission;

(4) Every child with disability shall have an individualized educational plan throughout their education till age 21;

(5) The District Assembly shall provide daily transportation services for children with disabilities;

to other schools, where that district is yet to comply with section 18 of this Act;

(6) A person or an institution who willfully prevents a child with a disability from attaining education commits an offence and is liable on conviction to a fine not exceeding five thousand penalty units, or to a term of imprisonment not exceeding two years or both.

Section 19 Education of children with multiple disabilities

(1) A parent, guardian or custodian of a child with disability of school going age shall enrol the child in an inclusive school.

(2). Where a child with multiple disabilities of school going age is not in position to attend inclusive school in the district, the parent, guardian or custodian of the child shall contact the Social Welfare Office at the Assessment Centre in the district; who upon assessment shall make arrangement for home schooling for the child with multiple disabilities.

Section 20

Facilities and equipment in educational institutions

(1) The Ministry of Education shall implement Inclusive Education in all districts to enable pupils or students with disabilities to be fully accommodated in the educational system.

(2). The Ministry of Education in collaboration with the Ministry responsible for persons with disabilities shall ensure that learning institutions take into account the needs of pupils or students with disabilities with respect to the set entry requirements, pass marks, curriculum, examinations, auxiliary services, use of school facilities, class schedules, physical education requirements and other similar considerations; and the Introduction of Ghana sign language course in all training institutions;

(3). The Ministry of Education shall provide individualized support measures, appropriate equipment, assistive devices, adoptive technologies and other supportive services in environments that maximize academic and social development, consistent with the goal of full inclusion of pupils or students with disabilities.

(4) The Ministry of Education shall commit a percentage of educational budget to inclusive education.

(5). The Ministry of Education shall develop an adaptable examination framework and assessment for all persons with disabilities and award certificates to all categories of persons with disabilities, including children with learning and psychosocial disabilities after completing their education.

Section 21 Free Inclusive education and Special Schools

The Government shall

- (1). provide free education for persons with disabilities in respective of their unique accommodation needs and support at all levels;
- (2). establish special schools for persons with disabilities who by reason of the unique accommodation needs and support cannot be enrolled in mainstream inclusive schools.

Section 22 Appropriate training for basic school graduates

Where a person with disability has completed basic education but is unable to pursue further formal education, the Ministry responsible for disability matters shall provide the person with appropriate training.

Section 23 Assessment Centres for children with disabilities through adulthood

- (1) The Ministry responsible for persons with disabilities shall establish Assessment Centres at the districts for the assessment needs of children with disabilities through adulthood.
- (2) The Assessment Centres shall provide standard health, educational and socioeconomic guidance for children with disabilities, youth with disabilities and adults with disabilities.

Section 24

Library facilities

A public library shall as far as practicable be fitted with facilities and support systems that will enable persons with disabilities to use the library.

Section 25 Non-discrimination in the provision of transport services

- (1) All means of transport including road, railway, water and air shall be made accessible to persons with disabilities.

- (2) Civil Aviation shall regulate all owners, operators and companies to ensure that the Airport is made accessible to persons with disabilities in compliance with Ghana's accessibility standards;
- (3) The National Council on Persons with Disability shall facilitate the ratification of International treaties and Conventions that promote the access to transport and ease of movement of persons with disabilities;
- (4) An owner or a person in charge of means of transport that is used by the public and for which a fare is charged shall not deliberately or unreasonably—
 - (a) refuse to transport a person with a disability;
 - (b) An owner or a person in charge of any means of transport that is used by the public for which a fare is charged shall not require a passenger with a disability who uses assistive devices, to pay an extra charge for the carriage of the assistive devices;
- (5) Subject to the traffic and road regulations, a person with a disability shall not be unreasonably denied a driving license on the basis of his or her disability;
- (6) A person who contravenes this Section commits an offence and is liable on conviction to a fine not exceeding three thousand penalty units or imprisonment for a period not exceeding 2 years or both.

Section 26 Importation of universally designed vehicles

- (1) A person with disability may import a vehicle whether adapted or modified or not for use by persons with disabilities. And such vehicle shall not be sold unless the relevant taxes have been paid;
- (2) A person with disability may import a vehicle for his or her personal use;
- (3) A vehicle imported under subsection (1) and (2) shall upon the recommendations of the Minister responsible for persons with disabilities and with approval of the Minister responsible for Finance be exempt from the payment of import duty and any other tax relating to the importation;
- (4). A vehicle imported under subsection (1) and (2) shall not be re-exported;

(5). A person who contravenes Subsection (4) commits an offence and is liable on summary conviction to a fine not exceeding five thousand penalty units or to a term of imprisonment not exceeding three years or to both.

Section 27 Protection of road users with disabilities

- (1) Public roads and highways shall be accessible to persons with disabilities including by inter alia-
- (a) Equipping pedestrian-crossings with traffic control signals controlled by a pedestrian push button system;
 - (b) Providing pedestrian traffic lights with clearly audible signals;
 - (c) Construction of pedestrian walk ways for persons with disabilities;
 - (d) Construction of accessible flyovers and overhead pedestrian bridges;
 - (e) Sensitizing the drivers, and the general public to accommodate the needs of road users with disabilities;

Section 28

Parking places for persons with disabilities.

- (1) A district assembly or an operator of a parking lot shall demarcate a special parking place which shall be reserved for the exclusive use of persons with disabilities;
- (2) Without limiting Subsection (1), each public place for parking vehicles shall have a clearly demarcated area for the exclusive use of persons with disabilities;
- (3) The parking places shall be demarcated close to the facility;
- (4) Persons with disabilities owning cars shall be granted disability parking cards that allow them to park in restricted areas;
- (5) An operator of a parking place who contravenes Subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding two thousand penalty units or to a term of imprisonment not exceeding twelve months or to both.
- (6) An owner of a car who is not a person with disability who parks in demarcated special parking place reserved for the exclusive use of persons with disabilities

commits an offence and is liable on summary conviction to a fine not exceeding one thousand penalty units or to a term of imprisonment not exceeding six months or to both.

Section 29 Driving license for persons with disabilities

- (1). A person with disability shall own a driving license upon passing a driving test and satisfying conditions prescribed by the Drivers and Vehicle Licensing Authority.
- (2) In determining the driving test for deaf persons, the Drivers and Vehicle Licensing Authority shall collaborate with the National Council on Persons with Disability to identify their reasonable accommodation needs before the driving test is granted.
- (3) The driving test shall be conducted in accessible formats, using alternative modes and means of communication including pictorial questions and sign language in order to accommodate the needs of persons with disabilities.
- (4) The driving licencing authority shall employ sign language interpreters as part of there services to adequately support the inclusion of the deaf in driver's licence testing exercises.

Section 30 Facilities at port terminals

- (1) The Civil Aviation Authority shall ensure that mechanisms are in place to provide accessible air transport to persons with disabilities including entry and exits to and from the aircrafts;
- (2) any other authority responsible for the management of a port shall provide facilities that will aid the movement of a person with disability at the port;
- (3) The National Council on Persons with Disability shall facilitate the ratification of International treaties and Conventions that promote the accessibility of persons with disabilities;
- (4) The entire transportation network shall be made holistically accessible and user friendly to persons with disabilities.

Section 31

Reserve seats on vehicles

- (1). A person responsible for the booking of passengers on a commercial bus shall reserve at least four seats for persons with disabilities except that where the bus is full without the reserved seats having been occupied, the driver or the person responsible for putting passengers on the bus may, fill the reserved seats with other passengers.
- (2). A person who contravenes Sections 31 commits an offence and is liable on summary conviction to a fine not exceeding five hundred penalty units or to a term of imprisonment not exceeding three months or to both.

Section 32 Training of professionals in disability

- (1). The training of professionals shall include the study of disability in the curricula of training institutions;
- (2) The National Council on Persons with Disability shall develop curricula for the various training institutions.

Section 33 Right to health

- (1) Every person with a disability has a right to health including health-related habilitation and rehabilitation services without discrimination on the basis of disability and gender;
- (2) The ministry of health shall ensure that persons with disabilities receive a broad range of health care and medical services on an equal basis with others;
- (3) Every person with a disability shall be entitled to medical care and treatment on condition of his or her disability in public and private health institutions;
- (4) Medical assessment reports for persons with disabilities including for purposes of registration, employment, or compensation shall be provided by both private and public health institutions;
- (5) Every public health institution shall employ at least 2 sign language interpreters with gender consideration in hospital organizational structure;

- (6) The national and district hospitals shall facilitate a broad range of modifications and adjustments to ensure access to health care for persons with disabilities, including operation tables, examination and delivery beds;
- (7) Every person with a disability is entitled to priority attendance by medical personnel;
- (8) The national and district hospitals shall implement special health services required by persons with disability including:
 - (a) Friendly hospital materials used by persons with disabilities visiting the hospital;
 - (b) Best public health programs relevant to persons with disabilities;
 - (c) Barrier free access in all parts of the hospital and health care institutions and Centers run or aided by them;
- (9) Every person with a disability has the right to the enjoyment of sexual and reproductive health rights on an equal basis with others;
- (10) Every person with a disability has the right to information that will enable him or her to make informed choices about their sexual and reproductive health;
- (11) Every person with a disability has the right to be treated with respect and dignity while seeking health related services;
- (12) No person or child with a disability shall be subjected to any irreversible medical procedure which leads to or could lead to infertility without their express consent;
- (13) It is an offence for a health worker who discourages a person with a disability from conceiving or having children;
- (14) Persons with psychosocial disabilities have a right of access to medical care, and the treatment shall take into account:
 - i. Their free and informed consent;
 - ii. Are entitled to receive psychotropic medicines with less side effects as part of the essential drugs in the health budget;
 - iii. The National Council on persons with disabilities shall provide persons with

psychosocial disabilities with an advanced form in which they shall state their advanced directives that must be followed by health workers at the time they are unable to make decisions;

- (15) A person who contravenes subsection (12) is liable on conviction to a fine not exceeding three thousand penalty units or to a term of imprisonment for a period not exceeding one year or both.

Section 34

Incentive for manufacturers of technical aids and appliances

- (1) A person who manufactures technical aids or appliances in the country for the use of persons with disabilities shall be given tax exemption that the Minister responsible for disability matters in consultation with the Minister for Finance may determine.
- (2) The National Council on Persons with Disability shall publish in its Annual Report a list of local manufacturers and monitor their productivity.
- (3) Assistive devices, equipment, medicines, goods, and any other specialized sports and learning materials imported for the use of persons with disabilities shall be exempted from tax;
- (4) The National Council on Persons with Disability shall develop and update a list of assistive devices, equipment, machines, medicines, specialized sporting materials and equipment for persons with disabilities, and specialized learning materials every year and submit it to customs for tax exemption.

Section 35 Derogatory Names, Language or expression

- (1) A person shall not call a person with disability derogatory names or use derogatory language because of the disability of the person;

(2) The censorship bodies shall not allow to be published any movies, music, drama and any other comments that are derogatory in nature to persons with disabilities;

(3) Any censorship body that publishes a movie with derogatory words or names that portrays persons with disabilities in a negative manner shall provide a rejoinder to correct the mistake in terms of the derogatory words or names published.

(4) For purposes of this section, derogatory language means expressing criticisms, positive portrayal or insults, or showing strong disapproval and not showing respect towards persons with disabilities by reason of the person's disability.

(5) A person who contravenes Subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding one thousand penalty units or to a term of imprisonment not exceeding six months or to both.

Section 36 Access to recreational and sporting events, festivals and cultural activities

(1) Every person with a disability has a right to take part on an equal basis with others in sports, recreation, leisure and cultural activities at the national, regional and international levels;

2) The Ministry for Sports, ministry responsible for persons with disabilities, the District Assemblies and the Ministry for Culture shall ensure, the provision of adequate facilities, programs and incentives, to enable persons with disabilities have access to sports and cultural events;

3) Persons with disabilities shall not be prevented from participation in sports, recreation and cultural activities;

4) There shall be a disability desk established at the ministry of sports with a designated staff to

coordinate inclusive sports for persons with disabilities;

Section 37 Rights of Women with disabilities

(1). Every woman with disability has a right to the enjoyment of her human rights and fundamental freedoms without discrimination on an equal basis with others, including:

- (a) the right to participate in social, economic and political decision making and other related activities;
 - (b) Protection from sexual and gender-based violence with respect to their disability;
 - (c) provided with habilitation, rehabilitation and psychosocial support against sexual and gender-based violence;
 - (d) Sexual and reproductive health services;
 - (e) Retain and control her fertility;
 - (f) Keep her child and not be deprived of her child on grounds of disability; and
 - (g) full development, advancement and empowerment;
- (2) The rights and needs of women and girls with disabilities shall be mainstreamed in all gender related policies, programs, plans and budgets.
- (3) All social protection programs shall specifically include and target women and girls with disabilities;
- (4) Women with disabilities and mothers of children with disabilities in employment shall be allowed flexible working hours depending on the situation and category of disability and needs;
- (5) Women and girls with disabilities shall be entitled to representation at all policy and decision making levels;
- (6) Disability gender audits shall be conducted by the National Council on Persons with Disability every year to monitor and track progress of the implementation of women with disabilities rights;

Section 38

Rights of Children with disabilities

(1). Every child with disability has a right and freedom on an equal basis with other children in respect to:

- a. a name and registration immediately after birth;
- b. Right to paternity including the right to be cared for and maintained by the father;
- c. Right to live with his or her family, regardless of the disability;
- d. Right to participate in sports, social and recreational activities;
- e. Protection from child abuse, exploitation and neglect;
- f. Right to life, human development of their physical and mental potential;
- g. Access to social protection programs;
- h. Respect for his or her evolving capacities and identity and to enjoy a full and decent life, in conditions which promote and ensure dignity, self-reliance, and independence;
- i. Freedom to express his or her views on all matters affecting him or her; and
- j. Age appropriate assistance to realize his or her rights;

(2). Any parent, guardian, or caretaker of a child with disability who confines, abandons or neglects a child with a disability and fails to provide the necessities of life including maintenance, violates the rights of this child and is liable upon conviction to a fine not exceeding five hundred penalty units.

Section 39

Rights of youth with disabilities.

(1) Every youth with disability is entitled to the enjoyment of human rights and fundamental freedoms on an equal basis with other youth.

(2) The National Council on Persons with Disability in consultation with the district assemblies and other state agencies shall take policy, legislative and administrative measures to ensure that the rights of youth with disabilities are fully respected, including by—

- (a) Promoting full inclusive and accessible education, training and employment, and programs for youth with disabilities;
- (b) Promoting full inclusive and accessible sporting and recreational activities for youth with disabilities;
- (c) Promoting the inclusion of youth with disabilities in mainstream youth organizations and programs;
- (d) Removing barriers that hinder or discriminate the participation of youth with disabilities in society;
- (e) Promoting training and access to information, communication and technology especially for youth with disabilities in rural areas;
- (f) Developing programs to overcome social and economic isolation, and removing systemic barriers in the labor market for youth with disabilities;
- (g) Ensuring access to credit facilities for youth with disabilities;
- (h) Developing and implementing measures to facilitate full and equal participation of youth with disabilities in training, sports, culture and Technology;

Section 40

Rights of elderly persons with disabilities.

Every elderly person has a right to the enjoyment of human rights and fundamental freedoms on an equal basis with others, including the right to—

- (a) Access to social protection programs;
- (b) Access to home based care services;
- (c) Exercise his or her legal capacity and that appropriate measures and safeguards are put in place to provide him or her with support she may require to exercise the legal capacity; (d) Access inclusive services.
- (e) Access to pension and social protection programs; (f) Access to specialized health interventions.

Section 41 Right to privacy

- (1) Every person with disability has a right to privacy and shall not be subjected to arbitrary interference and intrusion with his or her privacy, family, home, correspondence or other types of communication.
- (2) Every public and private institution shall protect confidential information relating to personal health, habilitation and rehabilitation services for persons with disabilities with dignity and such information shall not be shared without express authority of the person with disability concerned.

Section 42 Right to physical and mental integrity

Every person with disability has a right to respect for his or her physical and mental integrity and the right to security of the person including his or her survival, liberty, protection and development.

Section 43 Protection and safety of persons with disabilities in situations of risks and humanitarian emergencies

- (1) Every person with disability has a right to prioritized suitable and specialized protection and safety in situations of risk and, including but not limited to situations of tribal clashes, fire, armed conflict, cattle rustling, humanitarian emergencies, floods, epidemics, earthquakes, terrorism, collapsing buildings, and the occurrence of natural disasters;
- (2) Every institution whether public or private shall maintain an inventory of all persons with disabilities within its establishment if any and shall submit such inventory to the National Council on Persons with Disability and any other agencies responsible for disaster management;
- (3) Entities which run places to which the public has access shall take appropriate measures to ensure prioritized protection and safety policies for persons with disabilities during the occurrence of any disaster and in situations of risk and humanitarian emergencies;
- (4) The defense force of Ghana, the National Police Force, the National Disaster Management Organization and any other establishment whether

public or private, engaged in emergencies or humanitarian services shall in all situations of armed conflicts, tribal clashes, internally displaced persons, fire, cattle rustling, humanitarian emergencies, floods, epidemics, earthquake, terrorism, collapsing building and the occurrence of natural disaster take measures to ensure prioritized safety and protection of persons with disabilities, in light of the obligations under the UN Convention on the Rights of Persons with Disabilities and the Sustainable Development Goals;

- (5) Every construction and reconstruction program including any other activity undertaken by any establishment, whether public or private engaged in emergency or humanitarian services shall, after consultation with the National Council on Persons with Disability in response to any situation of armed conflict, humanitarian emergency or natural disaster, take prioritized account of the accessibility requirements of persons with disabilities.

Section 44 Right to legal capacity

- (1) Every person irrespective of their gender and disability shall have the right to recognition of legal capacity before the law and shall have the right to protection and benefit of the law on an equal basis with others;
- (2) Every person with a disability is entitled to the support services he or she may require in exercising the right to legal capacity;
- (3) Any support provided to persons with disabilities shall respect their will and preference;
- (4) All persons with psychosocial disabilities shall provide advanced directives in furtherance of their supported decision making in respect of the will and preference even when they are under psychosocial episodes;
- (5) All persons providing support to persons with disabilities shall be subjected to regular review by a team of professional appointed by National Council on Persons with Disability;

- (6) All civil and criminal laws that promote guardianship, substituted decision making, mental health laws that permit forced treatment, and judicial interdiction are inconsistent with the provisions of this Act;
- (7) Every person with a disability has equal rights to own and inherit property, to control his or her financial affairs and to have equal access to loans, mortgages and other forms of financial credit;
- (8) For purposes of this section, legal capacity refers to the ability to hold rights and duties (legal standing) and to exercise those rights and duties (legal agency). Mental capacity refers to the decision making skills of a person, which naturally varies from one person to another and may be different for a given person depending on many factors including environmental and social factors.

Section 45 Right to Human dignity

Every person with a disability has a right to human dignity and the right for that dignity to be respected and protected and in particular not to be referred to by demeaning, embarrassing, derogatory, and any other term that may be considered as lowering his or her dignity.

Section 46

Right to documents of registration

- (1) Every person with a disability has the right to be issued with a certificate of birth, national identification card, passport and any other document of registration or identification.
- (2) Every person with a disability shall not be deprived on the basis of disability of the ability to obtain possess and utilize documentation of his or her nationality or other documentation of identification, or to utilize relevant processes that may be needed to facilitate exercise of other rights;

Section 47 Civil and political rights for persons with disabilities

- (1) Every person with a disability who is 18 years of age and above has the right to participate in political and public life and the opportunity to exercise them on an equal basis with others, and to vote for and be voted or freely chosen representatives in any public or political office.
- (2) Notwithstanding the provisions of any other law, every governing body of a political party shall have in its membership at least one man and one woman with a disability who are duly recognized as persons with disabilities.
 - (a) It shall be the responsibility of the independent electoral commission to guarantee that persons with disabilities exercise their civic and political rights by- facilitating voting procedures, facilities and materials which are appropriate, accessible and easy to understand and use;
 - (b) protecting the rights of persons with disabilities to vote by secret ballot in elections without intimidation and to offer themselves for elections;
 - (c) allowing assistance in voting by a person of their own choice, on request and facilitating the use of assistive and appropriate technologies;
- (3) Representation of Persons with disabilities There shall be affirmative action in the political representation of persons with disabilities from the lower local Government, District Assemblies and Parliament to remedy the imbalances that existed in society;
- (4) At the lower local Government and District Assembly level, two persons with disabilities including a male and female shall be elected to represent persons with disabilities at the district level.
- (5) Eight members of Parliament with disabilities shall be elected to legislate on issues affecting persons with disabilities.

Section 48 Participation in National activities

A person or institution which organizes a national, regional, district, or community activity, shall ensure that facilities and programmes are made available for the participation in the activity by persons with disabilities.

Section 49 Accessibility, and reasonable accommodation to meet the individual needs of a person with disability upon arrest, detention or confinement

- (1) It shall be the duty of the law enforcement officer upon arrest to discuss the individual needs of a person with disability being arrested and thereafter provide reasonable accommodation to that person, by putting in place the necessary adjustments to meet his/her needs;
- (2) It shall be the duty of the law enforcement agencies to guarantee access to the built environment, access to transport, access to information and communication including information in accessible formats of braille, sign language, easy to read and tactile communication to the person under arrest;
- (3) Failure to adhere to these provisions, the arrest and detention of a person with disability shall be declared unlawful;
- (4) Institutions for the training of law enforcement personnel shall have as part of their curricula, the study of disability and disability related modules;
- (5). The National Council on Persons with Disability shall develop a standardize training manual for the law enforcement institutions on issues of persons with disabilities;
- (6). The Council shall award certificates to individuals in the law enforcement agencies upon completion of the training in disability studies;

Section 50 Enforcement of rights under this Act Special measures for persons with disabilities

- (1) Every person with a disability is entitled to special measures to accelerate equal participation in the social, cultural, economic, civil, political, and any other field.
- (2) Every public or private institution shall take effective measures and where appropriate, special measures to ensure continuing improvement of economic and social conditions of persons with disabilities.

Section 51 Disability mainstreaming and Inclusion

- (1) All ministries, departments and agencies shall establish a disability mainstreaming Unit for the purpose of-
 - (a) Mainstreaming disability issues;
 - (b) Carrying out regular inspections to ensure implementation and compliance with the provisions of this Act;
 - (c) Liaising with the National Council on Persons with Disability on matters relating to persons with disabilities;
- (2) Each ministry shall appoint an officer with knowledge and qualification in disability related disciplines to head the disability mainstreaming Unit established under subsection (1);
- (3) The officer appointed under subsection (2) shall submit quarterly reports to the National Council on Persons with Disability outlining progress and compliance with this Act and any challenges faced;

Section 52 Affirmative action

Ministries, Departments and Agencies shall take affirmative action in favour of persons with disabilities for the purpose of redressing imbalances which exist against them.

Section 53 Awareness raising

- (1) The Ministry responsible for persons with disabilities shall undertake to adopt immediate, effective and appropriate measures :
- (a) To raise awareness throughout the country including at the family and community level regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities;
 - (b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age in all areas of life;
 - (c) To promote awareness of the capabilities and contributions of persons with disabilities.
 - (d) Measures to this end include:
 - (I) Initiating and maintaining effective public awareness campaigns designed to nurture receptiveness to the rights of persons with disabilities;
 - (II) To promote positive perception and greater social awareness towards persons with disabilities;
 - (III) To promote recognition of the skills, merits and abilities of persons with disabilities and of their contributions to the workplace and labour market;
 - (IV) Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with disabilities;
 - (V) To achieve this, each media house shall commit a monthly hours free airtime to promote programmes geared towards awareness raising for persons with disabilities;
- (2) The ministry responsible for persons with disabilities in collaboration with the National Council on Persons with Disability shall provide and budget for awareness training programmes regarding persons with disabilities and their rights;

Section 54 National Commission on Disabilities Inclusion

- (1) There is established by this Act a body called the National Council on Persons with Disability;
- (2) Since Disability is a matter of urgency and national importance, the name of the Council shall be changed to National Commission on Disabilities Inclusion referred to in this Act as the Commission;
- (3) The Commission shall consist of one commissioner on disability in this Act referred to as the Commissioner who shall possess the qualifications of a supreme Court judge;
- (3) The Commission is the State Agency mandated to coordinate activities for effective disability inclusion, monitor and evaluate the advancement of human rights of persons with disabilities through effective disability mainstreaming policies and strategies, planning and budgetary allocation for the purpose of achieving inclusive development;
- (4) The Commission is a body corporate with perpetual succession, and a common seal and may sue or be sued in its corporate name;
- (5) The Commission may for the performance of its functions acquire and hold movable or immovable property and may enter into contract or any other transaction; (6) Where there is hindrance to the acquisition of the property, the property may be acquired for the Commission under the State Property and Contracts Act 1960 (C.A.6) or the State Lands Act, 1962 (Act125) and the costs shall be borne by the Commission;

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Object of the National Commission on Disabilities Inclusion

- (1) The object of the Commission is to propose and develop policies and strategies to enable persons with disabilities, enter and participate in the mainstream of the national development process;
- (2). To achieve the object, the Commission shall:
 - i. monitor and evaluate all policies and programs for the determination of inclusion;
 - ii. monitor and evaluate disability policies and programs,

- iii. formulate strategies for broad-based inter-sectorial, interdisciplinary involvement and participation in the implementation of the National Disability Policy,
- (3). Oversee the implementation of the Persons with Disabilities Act; by monitoring and evaluating the progress of its implementation by Ministries, Departments, Agencies including the Private Sector.

Section 56 The Functions of the National Commission on Disabilities Inclusion

1. In accordance with the principles of indivisibility, inter-dependence and interrelatedness of the rights of persons with disabilities, the Commission shall work with other Ministries, Departments, Agencies, civil society organizations, development actors, the Private Sector, and any other relevant stakeholders to:

- (a) Ensure the provision of accessibility and reasonable accommodation for the non-discrimination of persons with disabilities, with regard to information, goods, services, the built environment, and their participation in society on an equal basis;
- (b) Formulate and develop measures, policies, legal actions, standards, strategies and mobilize resources designed to:
 - i. Facilitate persons with disabilities to have access to facilities and services which ensure effective enjoyment of the right to life;
 - ii. Achieve equal opportunities for persons with disabilities by ensuring that they obtain education and employment, and participate fully in sports, recreation, cultural activities, and are accorded full access to community and social services;
- (c) Advise Ghana Statistical Service during the national census to ensure that accurate figures of persons with disabilities are obtained for the purposes of planning and budgeting;
- (d) Advise the Ministry responsible for matters relating to persons with disabilities on the provisions of national, regional or international agreements and treaties

relating to issues affecting persons with disabilities and their benefits to the country;

- (e) Facilitate the provision of assistive devices, appliances and other equipment to persons with disabilities registered with the Commission;
- (f) Make provisions for assistance to students with disabilities in the form of scholarships, loans, programs, fees, subsidies, assistive devices, related technologies and other similar forms of assistance in both public and private institutions;
- (g) Oversee inclusion and mainstreaming of disability in the execution of development at the national and district level; and provide technical support to public and private sectors;
- (h) Ensure information, communication, transportation, built environment, utilities, and services are accessible to persons with disabilities;
- (i) Actualize health care needs of persons with disabilities and ensure that persons with disabilities are knowledgeable of their own health conditions, health care and personnel support; and protect the rights and dignity of persons with disabilities;
- (j) Ensure suitable and affordable housing conditions for persons with disabilities;
- (k) Prevent discrimination against persons with disabilities;
- (l) Operationalize programs for self-employment or regular employment for the generation of income by persons with disabilities;
- (m) Provide as secure, habilitation and rehabilitation of persons with disabilities within their own communities and social environment; In collaboration with the health service providers;
- (n) Ensure continuous improvement on accessibility and usability of environment, roads, transportation, information, and communication, indoor and outdoor facilities, including schools, housing, medical facilities, workplace, other facilities and services open to the public to meet the needs of persons with disabilities;

- (o) Ensure that private entities offering facilities and services which are open to or provided to the public, take into account all aspects of accessibility for persons with disabilities;

2. Disaggregated Data on persons with disabilities

- i. The Commission shall establish a database to keep and maintain information on the situation of persons with disabilities;
- ii. The Commission shall facilitate systematic collection, analysis and use of national statistics and data on issues relating to persons with disabilities;
- iii. Register on a continuous basis persons with disabilities and issue disability identification cards in such form as the Commission may determine;
- iv. Register institutions owned by persons with disabilities, associations and organizations including public institutions which promote the rights of and provide services for persons with disabilities; and issue certificates of registration thereof;
- v. Maintain a register, and monitor the activities of institutions, organisations and associations which promote the interest of persons with disabilities;

(3) Technical Advice

The National Commission on Disabilities Inclusion shall provide—

- i. information and technical support to institutions, associations and organizations concerned with the promotion of the interest of persons with disabilities; and
- ii. Assess and report on the status of implementation of human rights and programs for persons with disabilities;
- iii. Advice on the relative priorities to be given to the implementation thereof;
- iv. Undertake intensive public awareness and education on the rights of persons with disabilities;
- v. promote studies and research on issues of disability and provide education and information to the public on issues of disability;
- vi. Carry out and publicise research on any matter relating to human rights of persons with disabilities;

(4). Coordination and Networking

i. The Commission shall coordinate activities of organisations of persons with disabilities, international organisations and non-governmental organisations that are engaged in disability related work; ii. The Commission shall establish and maintain linkages and networks with local and international organizations including organizations of and for persons with disabilities; iii. Promote the establishment of self-help organizations and the setting up of specific projects for the benefit of persons with disabilities;

5. Public Services Commission Regulation

The National Commission on Disabilities Inclusion shall:

- i. comply with the Public Services Commissions
 - Regulations in the administration of the Commission;
 - ii. Establish an operational manual to bring into effect the implementation of the Persons with Disabilities Act and the Persons with disabilities regulations 2020;
- ii. produce an operational manual on the operations of the Commission and its administration;

(6). Resource Mobilisation for the attainment of its object

The National Commission on Disabilities Inclusion shall mobilise resources for the attainment of its object

(7). Legislation Development

i. The National Commission on Disabilities Inclusion shall advise the Minister responsible for disability matters on disability issues and submit to the Minister proposals for appropriate legislation on disability; ii. Provide strategic direction on disability issues at all levels;

(8). The Commission shall perform other functions that are necessary for the attainment of its object.

Section 57 Legal obligations of the Commission

- a. In the performance of its functions under this Act, the Commission may act alone or in association with other persons or bodies to:
 - iii. enforce and generally administer the provisions of this
Act and any other related laws; iv.
Conduct accessibility audits;
- b. The Commission shall apply to Court for adjustment orders to be issued to any entities who fail to comply with accessibility standards;
- c. The Commission shall constitute standing committees comprising of experts to provide technical support and advise to entities regarding disability inclusion;
- d. The Commission shall conduct inquiries into any matters relating to the welfare of persons with disabilities to determine the appropriate measures to be taken in the circumstances;
- e. Appoint and employ such officers as are necessary for the Commission to discharge its mandate as required under this Act;
- f. Levy such fees and charges for its services as may be provided for by this Act;

Section 58 Complaint procedure for persons with disabilities

- (1) A complaint under the Persons with Disability Act may be made by any individual, caregiver, personal assistant or body of persons corporate or unincorporated;
- (2) The National Commission on Disabilities Inclusion shall receive complaints on matters relating to the violation of the rights of persons with disabilities and make appropriate referrals and advise.

Section 59 Participation of the National Commission on Disabilities Inclusion in Health programs

- (1) The Commission shall be represented in the implementation of national and district health programs for purposes of: prevention of occurrence and
 - (a) Early identification of disability;

- (b) Rehabilitation of persons with disabilities;
- (c) Enabling persons with disabilities to receive free habilitation and rehabilitation and medical services in public and private owned institutions;
- (d) Availing medical services and field medical personnel to persons with disabilities at an affordable cost; and
- (e) Prompt attendance of medical personnel to persons with disabilities.

Section 60 Adjustment orders

This section shall apply to all premises to which members of the public are ordinarily admitted, whether on payment of a fee or otherwise; public transport operators and providers of communication and information services; and all services and amenities provided to members of the public.

- (1) If the Commission considers that any premises or amenities is inaccessible to persons with disabilities by reason of any structural, physical, administrative or other impediments to such access, the Commission shall invoke Section 57(b) of this Act and the Court shall serve upon the proprietor of the premises or the provider of the services or amenities concerned an adjustment order setting out:
 - i. A full description of the premises, ii. Services or amenities concerned; and iii. Grounds upon which the Commission consider that the premises, services or amenities are inaccessible to persons with disabilities;
 - iv. Stipulating the period within which the action specified to in this section shall be commenced and completed by persons concerned
 - v. specifying grounds for the adjustment order vi. the nature of the action which the Commission considers necessary to rectify the situation which has given rise to the adjustment order;
- (2) The owner or provider concerned shall undertake at his or her expense such action as may be specified in order to secure reasonable access by persons with disabilities to the premises, including buildings, accommodation, services or amenities concerned;

- (3) Within 30 days after an adjustment order is issued or confirmed, under this section, the person concerned may appeal to the high court against the confirmation or issue of the adjustment order;
- (4) A person is guilty of an offence if he or she fails to comply with an adjustment order served under this section;
- (5) A person who is convicted of an offence under subsection (1) is liable to a fine not exceeding ten thousand penalty units or to a term of imprisonment not exceeding five years or both.

Section 61 Protection from personal liability

No matter or thing done by a member of the Commission or by any officer, member of staff or agent of the Commission shall, if the matter or thing is done bona fide for executing the legal obligations, functions, or duties of the Commission, render the member, officer, employee or agent or any person acting on his or her directions personally liable to any action, claim or demand whatsoever.

Section 62 Disability coding

- (1) The disability coding provided in the first schedule shall determine—
 - a. Whether the disability is a long term physical, mental, intellectual or sensory impairment;
 - b. Or, that the interaction between the disability and the existing barriers in society limits the full and effective participation of persons with disabilities on an equal basis with others;
- (2) The decision to remove the existing barriers that hinder the effective participation of a person with a disability shall be based on the coding provided under subsection (1);
- (3) There shall be a schedule to provide disability coding to reflect the various categories of persons with disabilities in Ghana; to inform the implementation process, planning, universal design and budgeting for the various needs of persons with disabilities. The Schedule will highlight the various categories of persons with disabilities as follows:

Persons with physical disability;
Deaf persons,
Persons who are non-verbal;
Persons with communication disabilities including speech and language disabilities;
Persons who are hard of hearing;
Persons with visual disability;
Persons with multiple disabilities such as deafblind;
Persons with psychosocial disabilities; persons with cerebral palsy; persons with bipolar conditions; persons with attention deficit disorders; persons with schizophrenia;
Persons with developmental and neurological disabilities; persons with autism; persons with Down syndrome; persons with spinal injury; persons with autoimmune conditions; persons with osteogenesis imperfecta;
Persons with albinism;
Persons with intellectual disability;
Persons with epilepsy;
Persons with leprosy; Little persons.

Section 63 Determination of a person with a disability

Whenever a question arises whether a person has a disability or not or where court so requires, a team of professionals appointed by the Commission shall carry out an examination to confirm the disability.

Section 64 Governing Body of the Commission

- (1) For the performance of the functions of the Commission there shall be a Body consisting of:
- a) the chairperson,
 - b) one representative not below the rank of deputy director, of the Ministry of Health,

- c) one representative not below the rank of deputy director, of the Department of Social Welfare,
 - d) one representative not below the rank of deputy director, of the Ministry of Local Government and Rural Development,
 - e) one representative of employers' association
 - f) two representatives of development partners
 - g) one representative not below the rank of deputy director, of the Ministry of Education,
 - h) one representative not below the rank of deputy director, of the Ministry Manpower, Youth and Employment,
 - i) Five representatives of organisations of and for persons with disabilities; at least one of whom is a woman, nominated on rotational basis by the organizations,
 - j) one representative not below the rank of deputy director, of the Ministry responsible for disability matters;
 - k) one representative not below the rank of deputy director, of the Ministry of Finance;
 - l) the Executive Secretary shall be a member and Secretary to the Board
- (2) The chairperson and other members of the Governing Board shall be appointed by the President in accordance with Article 70 of the Constitution;
- (3) The chairperson shall be a person with disability;
- (4) The Governing Board members holding leadership positions from other organisations other than Ministries, Departments and Agencies shall resign upon the appointment to avoid conflict of interest.
- (5) A person shall be qualified for appointment as a member of the Commission if the person-
- a) is a Ghanaian citizen;
 - b) has knowledge and at least five years work experience of which two years shall be on matters relating to disability;
 - c) meets the requirements of the Constitution of Ghana.

Section 65 Functions of the Governing board of the Commission

- (1) The board shall formulate and develop policies to guide the achievement of the object and functions of the Commission
- (2) The Board shall submit to the Minister responsible for matters of persons with disabilities policies on inclusion and mainstreaming of persons with disabilities;
 - (a) Submit to the Minister responsible for matters of persons with disabilities recommendations on any matter for the adequate inclusion of persons with disabilities into sustainable development processes.
 - (b) Promote collaboration between the Ministry responsible for matters of persons with disabilities and the National Commission on Disabilities Inclusion.
 - (c) Advise the Minister responsible for matters of persons with disabilities on such issues as the Minister may request.

Section 66 Tenure of office for the Governing Board members

- (1) A member of the Board shall hold office for a period of three years and is eligible for re-appointment but a member shall not hold office for more than two terms in succession
- (2) Where a member of the Governing Board resigns, dies, is removed from Office or is for a sufficient reason unable to act as a member, the Minister responsible for disability matters shall notify the President of the vacancy and the President shall acting on the advice of the nominating authority and in consultation with the Council of State shall appoint another person to hold office for the unexpired portion of the member's term of office.

- (3) A member of the Board may at any time resign from office in writing addressed to the President through the Minister responsible for disability matters.
- (4). A member of the Governing Board who is absent for three consecutive meetings of the Board without sufficient reason ceases to be a member of the Governing Board.
- (5). Upon the advice of the Board Chairperson, Section 66(2) of this Act shall apply in situations of Subsection (4) of this section;
- (6) This section does not apply to the executive secretary of the Commission who shall hold office permanently until her appointment is terminated.

Section 67 Meetings of the Governing Board

- (1) The Governing Board shall meet at least once every three months for the dispatch of business at the times and in the places determined by the chairperson;
- (2) The chairperson shall at the request in writing of at least one-third of the members of the Board convene an extraordinary meeting of the Board at the place and time determined by the chairperson;
- (3) The quorum at the meeting of the Board is nine members of the Board or a greater number determined by the Board in respect of an important matter;
- (4) The chairperson shall preside at meetings of the Board;
- (5) In the absence of the chairperson; and where the chairperson did not delegate a member of the Governing Board to chair the meeting, a member of the Board elected by the members present from among their number shall preside;
- (6) Matters before the Board shall be decided by a majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote;
- (7) The Governing Board may co-opt any person to act as an adviser at its meetings but a co-opted member shall not vote any matter for decision by the Board;
- (8) The proceedings of the Governing Board shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member:

(9) Subject to this Section, the meetings of Governing Board shall be regulated by the Public Services Commission Regulations.

Section 68 Disclosure of interest by a Board member

(1) A member of the Board who has an interest in a matter under consideration by the Board shall disclose in writing the nature of that interest to the Board and is disqualified from participating in the deliberations of the Board in respect of that matter; (2) A member who fails to disclose an interest under (1) ceases to be a member.

Section 69

Appointment of Committees

(1) The Board shall for the performance of the functions of the Commission appoint committees of the Board comprising members of the Board or non-members or both; (2). A committee entirely of non-members shall not be advisory;

Section 70

Allowance of members

Members of the Board and members of a Committee of the Board shall be paid allowance that the Minister responsible for disability matters in consultation with the Minister for Finance may determine.

Section 71 Regional and District Offices of the Commission

(1) The Governing Board shall establish regional and district offices of the Commission in each regional capital and in the districts; (2) A regional or district office of the Commission shall be provided with public officers that the President shall appoint in accordance with Article 195 of the Constitution; (3) A regional or district office of the Commission shall perform the functions of the Commission in the region or district;

- (4) The Commission shall adopt Operational Manual to guide the implementation of the functions of the Commission at the regions and districts.

Section 72

Register

The Commission shall maintain a register in which shall be recorded

1. the names, addresses and other personal particulars of persons with disabilities, and;
2. names, addresses of offices and other particulars of institutions, organisations and associations which provide rehabilitation, services or support for persons with disabilities.

Section 73 Administrative and Financial provisions of the Commission Executive Secretary

- (1) The President shall in accordance with Article 195 of the Constitution appoint an Executive Secretary of the Commission;
- (2) The Executive Secretary shall be an autocratic member of the board and shall hold office on the terms and conditions specified in the letter of appointment;

Section 74

Functions of the Executive Secretary

- (1) The Executive Secretary is responsible for the day to day administration of the Commission and is answerable to the Board in the performance of the functions of the Commission under this Act;
- (2). The Executive Secretary shall maintain the register referred to in Section 70; (3) The Executive Secretary shall implement the obligations of the State with respect to matters of persons with disabilities under international law.
- (4). The Executive Secretary shall perform any other functions determined by the Board;

(5). The Executive Secretary may delegate a function to an officer of the Commission but shall not be relieved from the ultimate responsibility for the performance of the delegated function;

Section 75

Appointment of other staff

- (1) The Commission shall have other officers and staff as may be necessary for the effective performance of its functions;
- (2). The President shall in accordance with Article 195 of the Constitution appoint other staff of the Commission;
- (3). Other public officers may be transferred or seconded to the Commission or may otherwise give assistance to it;
- (4). Upon appointment as staff of the Commission or upon being seconded to the Commission, the staff or the seconder shall cease to hold leadership positions in organisations for and of persons with disabilities including civil society organisations;
- (5). The Commission may engage the services of advisers on the recommendations of the Board;

Section 76

Delegation of power of appointment

The President may in accordance with Article 195(2) of the Constitution delegate the power of appointment of public officers under this Act;

Section 77 Funds of the Commission

The funds of the Commission include

1. moneys provided by Parliament;
2. donations, grants and gifts, and;
3. any other moneys that are approved by the Minister responsible for Finance, with the approval of Parliament

Section 78 Accounts and Audit

- (1) The Board shall keep books of account and proper records in relation to them in a form approved by the Auditor-General;
- (2). The Board shall submit the accounts of the Commission to the Auditor-General for audit within three months after the end of each financial year;
- (3). The Auditor-General shall not later than three months after the receipt of the accounts, audit the accounts of the Commission and forward a copy of the audit report to the Minister responsible for disability matters;
- (4). The Internal Audit Agency Act, 2003 (Act 658) shall apply to this Act;
- (5). The financial year of the Commission is the same as the financial year of the Government;

Section 79

Annual report and other reports

- (1) The Board shall within one month after the receipt of the audit report submit an annual report to the Minister responsible for disability matters covering the activities and the operations of the Commission for the year to which the report relates;
- (2). The annual report shall include the report of the Auditor-General;
- (3). The Minister shall, within one month after the receipt of the annual report submit the report to Parliament with a statement that the Minister considers necessary; (4). The Board shall also submit to the Minister any other reports which the Minister may require in writing;

Section 80

Common seal

- (1) The common seal of the Commission shall be kept in the custody of the Executive Secretary and shall not be used except upon the order of the Executive Secretary;
- (2) The Common seal of the Commission, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary

is proved, any necessary order or authorization by the Commission under this section shall be presumed to have been duly given;

- (3) The affixing of the common seal of the Commission shall be authenticated by the signature of the Executive Secretary;

Section 81 Regulations

The Governing Board shall after consultation with the Minister, and on the advice of the Commission by legislative instrument, make Regulations providing:

- (1). for minimum standard of facilities to be provided and maintained by public and private bodies or institutions so as to make those bodies or institutions and services provided by those bodies or institutions inclusive and available to persons with disabilities;
- (2). Make regulations prescribing matters giving effect to this Act;
- (3). By legislative instrument, amend the schedules to this Act;
- (4) The Commission shall develop guidelines, strategies and operational manuals to implement the Persons with Disabilities amendment Act and the legislative instrument.
- (5) The common seal of the Commission shall be affixed on the guidelines, strategies and operational manuals and shall be judiciously and officially accepted to be operational

Section 82 Interpretation

In this Act, unless the context otherwise requires

“Adjustment orders” means an order made by the Commission;

“authorized officer” includes a chief director in a ministry, a chief executive officer in a government department or agency or commission or committee or council or any other public and private body;

"assistive devices " includes implements, tools, equipment, taped texts, audio, hearing aids, visual and pictorial recording, Braille equipment and materials, tactile equipment, orthopaedic appliances and other devices and machines of

whatever kind for persons with disabilities for their socio-cultural, economic, civil, political functionality of persons with disabilities;

“communication” includes expressive or receptive understanding, languages, speech display of text, Braille, tactile communication, signs, large print, accessible multimedia as well as written, audio, plain-language, human-reader and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology;

“Council” means the National Council on Persons with Disability established under Section 41;

“Commission” means the National Commission on Disabilities Inclusion established under Section 54.

“Children with disabilities” means all children with various categories of disability below the age of 18 years.

“disability” means an evolving concept which results from the interaction between persons with impairment and attitudinal, social, cultural and environmental barriers that hinders their full and effective participation in society on an equal basis with others;

“Disability inclusion” refers to the meaningful participation of persons with disabilities in all there diversity , the promotion and mainstreaming of there rights into the work of an organization, the development of disability specific programs, and the consideration of disability related perspective in compliance with the Convention on the rights of persons with disabilities;

“discrimination” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes denial of amenities and the use of derogatory words, gestures;

“disability mainstreaming” means a strategy through which concerns, needs and experiences of persons with disabilities are made an integral part or dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and social spheres so that persons with disabilities benefit equally and inequality is not perpetuated;

“District Assembly” includes Municipal and Metropolitan Assembly;

“Equal basis with others” refers to providing persons with disabilities with the requisite services in line with their needs;

“Exploitation” includes any act which has the purpose and effect of taking unfair advantage of any limitation of persons with disabilities;

“Entity” in this Act refers to public, private bodies and individuals having legal recognition;

“Fund” means the Persons with Disabilities Empowerment Fund established under section 54 of the persons with disabilities Act;

“Girls with disabilities” means any female child with a disability who is below the age of 18 years;

“Harmful practices” include behaviour, attitudes and practices based on tradition, culture, religion, superstition or other reasons, which negatively affect the human rights and fundamental freedoms of persons with disabilities or perpetuate discrimination;

“inclusive education” refers to a system of learning that aims at educating students with disability in chronologically age-appropriate general and mainstream education classes in the schools or least restrictive environments and in regular classrooms and ensure that they receive specialized instruction delineated by their individualized education programs within the context of the core curriculum and general class activities regardless of types or severity of disabilities, to the maximum extent possible.

"institution of learning " means a school, college, university or other institution where education or learning is provided;

"Legal capacity" means the ability to hold rights and duties under the law and to exercise these rights and duties.

"Minister" means the Minister responsible for persons with disabilities;

"Ministry" means the Ministry responsible for matters of persons with disabilities;

"Needs assessment for persons with disabilities" refers to a systematic process for determining and addressing gaps or needs among the different categories of persons with disabilities;

"Organizations for persons with disabilities" means associations, groups, non-governmental organisations or societies formed for the purposes of rendering services to persons with disabilities;

"Organizations of persons with disabilities" means associations or societies formed by persons with disabilities for their welfare and protection;

"Persons with disabilities" includes babies, children and adults with permanent physical, mental, communication, intellectual, developmental or sensory impairments, visual, hearing or Albinism, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others; and excludes the unborn children;

"port" includes airport, seaport, railway station and lake transport terminal; and **"transportation network"** includes facilities used for the transport of passengers.

"Protocol" means the protocol to the African Charter on human and people's rights on the rights of persons with disabilities;

"public building " means a building, place of lodging, recreation, transportation, education, or dining, along with stores, care providers, and places of public displays, irrespective of ownership, which is used to render different types of services for people in the society and accessed by the general public at large, and includes its entrance, exit, parking space, footpath and other appurtenant lands;

“Rehabilitation” means inpatient or outpatient health care services such as physical therapy, occupational therapy, speech-language pathology and psychiatric rehabilitation services that help a person keep, restore or improve skills and functioning for daily living and skills related to communication that have been lost or impaired because a person was sick, injured or disabled.

“Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms; **“Ritual killings”** means the killing of persons motivated by cultural, religious or superstitious beliefs that the use of a body or a body part has medicinal value, possesses supernatural powers and brings good luck, prosperity and protection to the killer.

“rural-based organization” means an organization whose membership is comprised of persons with disabilities and whose operations are based in a rural area;

“Sustainable development goals mean the UN Political commitments entered into by the UN member states to implement the 17 goals stipulated in the 2030 agenda with a view of promoting the principle of leave no one behind, and inclusive development with measurable targets and indicators upon which progress is monitored”;

“Situations of risks” means any situation that poses grave risk to the general population, including disasters and all forms of armed conflict;

”support services” includes seeing eye dogs , support persons ,personal assistants , sign language interpreters , guide , readers , government or other institutional services and other personal supports specifically provided to enable people with disability to fully participate in society and community life and include specialized expert or any other service , qualified readers , interpreters and guides and services that support persons with disabilities to participate effectively in all aspects of life .

“special measures” means legislative, executive, administrative and other regulatory instruments, policies and practices, including outreach or support programs, allocation or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected with time frames; and quota systems designed, adopted and implemented in order to fulfil equal enjoyment of rights of persons with disabilities;

“UN Convention on the rights of persons with disabilities” means the international human rights Convention agreed upon by the UN general assembly to protect, promote, respect and fulfill the rights of persons with disabilities;

“Universal design” means the design of products, environments, programs and services to be usable to the greatest extent possible, without the need for adaptation or specialized design, including assistive devices for particular groups of persons with disabilities necessary.

“Women with disabilities” means any female person with a disability over 18 years and above;

“Youth” means every person between the ages of 15 and 35 years.

First Schedule to the Act Categories of disabilities

- (1) Physical disability includes those without limbs, those who have difficulty in walking, those who have difficulty in using their hands, those who have difficulty in sitting, wheel chair users, crutches users, callipers users, artificial limbs users, polio survivors, those who have spinal cord injury, and those who require high support needs;

- (2) Visual impairments include those with total blindness (total loss of sight), low vision, partially sighted, long sighted, short sighted, those who have difficulty in identifying objects, those who have difficulty in identifying colours, those who use lenses, those who have difficulty in seeing, and difficulty in reading;
- (3) Deafness includes total loss of hearing, those who have partial loss of hearing, those who have hard of hearing, those who use hearing aids, those who use sign language, and those who are non verbal;
- (4) Deafblindness include those with total deafness and total blindness, those who have partial deafness and partial blindness, those who use hearing aid, those who use loop, those who use tactile signage, those who require captioning and those who use braille;
- (5) Psychosocial disability includes those who have bipolar, those who have Schizophrenia, those who experience hallucinations, those who experience depression, those who have dyslexia, those who have epilepsy, those who have attention deficit disorders, survivors and users of psychiatry, those who are living on psychotropic medicine, those who require continuous support and care;
- (6) Developmental disabilities include those with down syndrome, those who have autism, those who have cerebral palsy, those who have communication disability and those who have learning disability;
- (7) Albinism include those lacking melanin in their skin, those who require sun screen lotions, those who require capes or hats, those who require long slived shirts, those who have low vision and those who use sun glasses;
- (8) Little persons include short people, those who have dwarfism, those who have congenital conditions, those who have osteogenesis impafecta;
- (9) Persons with non communicable diseases;
- (10) Persons with auto immune conditions;
- (11) Persons with leprosy includes persons who have survived leprosy and those who have leprosy;
- (11) Persons with Sickle cells includes persons who experience crises and have high support needs because of the sickle cells;

(12) Disability is an evolving concept and this schedule will be amended to take care of future disabilities that might arise;

Date of *Gazette* notification:

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