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RÉPUBLIQUE FRANÇAISE
MINISTÈRE DES AFFAIRES ÉTRANGÈRES ET EUROPÉENNES

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La France à la loupe

Policy for the disabled in France

Disability in France

There are five million disabled people living in France, two million of whom are less mobile. Thirty percent of motor disabilities are caused by accidents. Some 135,000 disabled children attend ordinary schools and 110,000 go to specialised institutions. One disabled working-age adult in three is unemployed. The budget allocated to the policy for the disabled totalled €29 billion in 2004.

Definition of disability

On the basis of a classification proposed by the World Health Organisation in 1980, revised in 1993, the concept of "disability" has been superseded by that of "**situation of disability**", which is not limited to a functional handicap and impairments but takes into account the **social disadvantage** that results from a functional handicap or impairments, which are aggravated by the social, material, human and technical environment.

Legislative framework

The **Act No. 2005-102 of 11 February 2005** on equal rights and opportunities, participation and citizenship of people with disabilities, amended the 1975 acts on the disabled (**Act No. 75-534 of 30 June 1975**) and social and medical institutions (**Act No. 75-535 of 30 June 1975**) by strengthening some existing measures and introducing new ones based on the principle of national solidarity.

While the 1975 acts met the needs of disabled people at that time, they have since expressed a desire to participate more fully in the **structures of social life** and benefit from **more personalised assistance**. The provisions of the acts are codified in the **Social Action and Family Code.**

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Right to compensatio for disability

Social Modernisation Act No. 2002-73 of 17 January 2002 represented the first stage in the amendment of the framework law of 1975 by providing for "a **right** [for a disabled person] **to ompensation for the consequences of his/her disability** regardless of the cause and nature of his/her impairment, age or lifestyle, and to **guaranteed minimum income** to cover al the essential needs of everyday life" in Article 53.

The Act of 11 February 2005 emphasises the definition of a **life project** by the disabled person and establishes the principle of a **right to compensation** by introducing a compensatory disability benefit. The amount of compensation is assessed and personalised on the basis of the life project defined by the disabled person **(Art. L. 114-1-1** and **Art. L. 245-1** of the Social Action and Family Code). Funding for the compensatory disability benefit will be provided jointly by the départements (€590 million) and the new National Independent-Living Support Fund (Caisse nationale de solidarité pour l'autonomie - CNSA) established by the Act (€500 million). **Disability Centres have been opened in each département** (Maisons départementales des personnes handicapées - MDPH) to provide assistance with life projects and manage payment of the compensatory disability benefit. The centres, managed by the regional councils, act as simplified one-stop services for benefits and formalities for the disabled.

Right to education and training

Act No. 75-534 of 30 June 1975 made education, training and career guidance for disabled children and adults a national obligation. The Act of 11 February 2005 recognises the right for any child with a disability to attend his/her local primary or secondary school. The right to schooling is part of the personalised education plan, which ensures that the necessary adjustments are made to the school infrastructure and to timetables to allow alternate attendance at a specialised institution if required.

Right to employment

The Act of 11 February 2005 reaffirms the right to employment by requiring companies that employ more than 20 people to have six percent of disabled people in their total workforce. Some 100,000 employers are bound by the new requirement.

Access

The principle of access to **new collective housing and buildings open to the public** was extended by the Act of 11 February 2005. Public buildings must not only be accessible but also ensure a continuous chain of access: access to railway stations, public transport, kerbs and ramps. Disabled access must be provided to housing by 2008 and to public buildings within 10 years. **Public transport** must also be made accessible to the disabled within 10 years.

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To find out more

Policy and actions for the disabled

- **Official Website for the disabled** – State Secretary for the disabled
  www.handicap.gouv.fr
  Access by theme to information on action for the disabled and information on various disabilities.
- **La politique du handicap** (information kit on policy for the disabled), la Documentation française, Vie publique website, April 2005

  http://www.vie-publique.fr/politiques-publiques/politique-handicap/index/
- **Rights and formalities for the disabled**
  http://vosdroits.service-public.fr/particuliers/N12.xhtml

Disability Act of 11 february 2005 : Progress Review

- **Rapport de Patrick Gohet sur la mise en place de la loi du 11 février 2005 et du fonctionnement des maisons départementales des personnes handicapées (MDPH)**, août 2007

  http://www.travail-solidarite.gouv.fr/publications-videotheque/rapports/rapports-concernant-champ-personnes-handicapees/rapport-patrick-gohet-sur-mise-place-loi-du-11-fevrier-2005-du-fonctionnement-maisons-departementales-personnes-handicapees-mdph-6163.html
- **Loi Handicap : pour suivre la réforme,** rapport d'information n° 359 (2006-2007) de M. Paul BLANC, fait au nom de la commission des affaires sociales du Sénat, déposé le 3 juillet 2007

  http://www.senat.fr/rap/r06-359/r06-359_mono.html
- **Handicapés : six décrets publiés**. – Les Cahiers de la Fonction Publique et de l'Administration, n°253, fevrier 2006 (p. 19).
- **La politique en faveur des personnes handicapées et ses limites**. – La Documentation française, collection « Regards sur l'actualité », n°317, janvier 2006 (p. 63).
- **Loi Handicap : un an après** / Press conference on the disability act by Philippe Bas, Minister Delegate for Social Security, the Elderly, the Disabled and the Family, 9 February 2006
  http://www.handicap.gouv.fr/IMG/pdf/DP_090206.pdf
- **Rapport d'information n° 2758 sur la mise en application de la loi n° 2005-102 du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées** (report on the implementation of Act No. 102-2005 of 11 Febtuary 2005 on equal rights and opportunities, participation and citizenship of people with disabilities) / Jean-François Chossy. – Assemblée nationale, 14.12.2005

  http://www.assemblee-nationale.fr/12/rap-info/i2758.asp

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Various aspects of the handicap

- **Pour une prise en charge collective, quel que soit leur âge, des personnes en situation de handicap** / Rapport du Conseil Economique et Social présenté par M. Maurice Bonnet, février 2004

  http://www.ces.fr/rapport/doclon/04030306.pdf

- **La vie avec un handicap** / Rapport public de la Cour des Comptes, juin 2003 **http://www.ccomptes.fr/CC/documents/RPT/Vie-handicap.pdf**

- **Personnes handicapées et situations de handicap**. – La Documentation française, collection « Problèmes politiques et sociaux », n° 892, septembre 2003