

Republic of the Philippines
House of the Representatives
Quezon City
Eighteenth Congress
First Regular Session

HOUSE BILL NO. 6616

Introduced by: REPRESENTATIVES ALAN PETER "COMPAÑERO" S. CAYETANO,
PAOLO Z. DUTERTE, LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR., ERIC GO YAP,
FERDINAND MARTIN G. ROMUALDEZ AND BIENVENIDO M. ABANTE, JR.

AN ACT TO DECLARE THE EXISTENCE OF A NATIONAL EMERGENCY ARISING FROM THE CORONAVIRUS 2019 (COVID-19) SITUATION AND A NATIONAL POLICY IN CONNECTION THEREWITH, AND AUTHORIZING THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES FOR A LIMITED PERIOD AND SUBJECT TO RESTRICTIONS, TO EXERCISE POWERS NECESSARY AND PROPER TO CARRY OUT THE DECLARED NATIONAL POLICY AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. – This Act shall be known and cited as “*We Heal As One Act of 2020.*”

Section 2. State of National Emergency. – Presidential Proclamation No. 922, s. 2020, was issued declaring a State of Public Health Emergency throughout the Philippines due to the Coronavirus Disease 2019 (COVID-19) and the Code Alert System for COVID-19 was raised to Code Red Sublevel Two (2) in accordance with the recommendation of the Department of Health (DOH) and the Inter-Agency Task Force for the Management of Emerging Infectious Diseases. Further, Presidential Proclamation No. 929, s. 2020, was issued declaring a State of Calamity throughout the Philippines and imposed an Enhanced Community Quarantine throughout Luzon.

In view of the continuing rise of confirmed cases of COVID-19, the serious threat to the health, safety, security, and lives of our countrymen, the long-term adverse effects on their means of livelihood, and the severe disruption of economic activities, a state of national emergency is hereby declared over the entire country.

Section 3. Declaration of Policy. – The COVID-19 pandemic has greatly affected nations worldwide, including the Philippines, and has caused and is continuing to cause loss of lives and disruption to the economy. Thus, there is an urgent need to: (1) minimize, if not prevent, further transmission and spread of

COVID-19; (2) immediately mobilize assistance in the provision of basic necessities to families and individuals affected by the imposition of Community Quarantine, especially indigents and their families; (3) immediately and amply provide healthcare, including medical tests and treatments, to COVID-19 patients, persons under investigation (PUI), or persons under monitoring (PUM); (4) undertake a program for recovery and rehabilitation, including a social amelioration program and provision of safety nets to all affected sectors; (5) ensure that there is sufficient, adequate and readily available funding to undertake the foregoing; and (6) promote and protect the collective interests of all Filipinos in these challenging times. By reason thereof, and in order to optimize the efforts of the President to carry out the tasks needed to implement the aforementioned policy, it is imperative to grant him emergency powers subject to such limitations as hereinafter provided.

Section 4. Authorized Powers. - Pursuant to Article VI, Section 23 (2) of the Constitution, and to implement the declared national policy, the President is hereby authorized to issue such rules, regulations and directives as may be necessary to carry out any or all of the following powers:

- (1) Adopt and implement measures to prevent or minimize further transmission and spread of COVID-19;
- (2) Expedite the medical testing and observation of PUIs and PUMs and the immediate treatment of patients suffering from COVID-19;
- (3) Ensure that all Local Government Units (LGUs) are acting in line with the rules, regulations and directives issued by the National Government pursuant to this Act; are implementing standards of community quarantine that are neither more nor less restrictive than what the National Government has laid down for the subject area, while allowing LGUs to continue exercising their autonomy in matters undefined by the National Government or are within the parameters it has set; and are fully cooperating towards a unified, cohesive and orderly implementation of the national policy to address COVID-19;
- (4) When the public interest so requires, direct the operation of any privately-owned hospitals and medical and health facilities, hotels, and other similar establishments to house health workers, serve as quarantine areas, quarantine centers, medical relief and aid distribution locations, or other temporary medical facilities; and public transportation to ferry health, emergency, and frontline personnel and other persons; *Provided, however,* That the management and operation of the foregoing enterprises shall be retained by the owners of the public service or enterprise, who shall render a full accounting to the President or his duly authorized representative of the operations of the utility or business as basis for appropriate compensation;

Provided, further, That reasonable compensation for any additional damage or costs incurred by the owner or the possessor of the subject property solely on account of complying with the directive shall be given to the person entitled to the possession of such private properties or businesses after the situation has stabilized or at the soonest time practicable; *Provided*, finally, that if the foregoing enterprises unjustifiably refuse or signified that they are no longer capable of operating their enterprises for the purpose stated herein, the President may take over their operations subject to the limits and safeguards enshrined in the Constitution;

- (5) Continue to adopt measures to protect the people from hoarding, profiteering, injurious speculations, manipulation of prices, product deceptions, and cartels, monopolies or other combinations in restraint of trade, or other pernicious practices affecting the supply, distribution and movement of food, clothing, medicine and medical supplies, fuel, fertilizers, chemicals, building materials, implements, machinery equipment and spare parts required in agriculture, industry and other essential services, and other articles of prime necessity, whether imported or locally produced or manufactured;
- (6) Undertake the procurement of the following as the need arises, in the most expeditious manner, as exemptions from the provisions of Republic Act No. 9184 and other relevant laws:
 - (a) Goods, which may include personal protective equipment such as gloves, gowns, masks, goggles, face shields; surgical equipment and supplies; laboratory equipment and its reagents; medical equipment and devices; support and maintenance for laboratory and medical equipment, surgical equipment and supplies; medical supplies, tools, and consumables such as alcohol, sanitizers, tissue, thermometers, hand soap, detergent, sodium hydrochloride, cleaning materials, povidone iodine, common medicines (e.g., paracetamol tablet and suspension, mefenamic acid, vitamins tablet and suspension, hyoscine tablet and suspension, oral rehydration solution, and cetirizine tablet and suspension); testing kits, and such other supplies or equipment as may be determined by the DOH and other relevant government agencies.
 - (b) Goods and services for social amelioration measures in favour of affected communities;
 - (c) Lease of real property or venue for use to house health workers or serve as quarantine centers, medical relief and aid distribution locations, or temporary medical facilities;

- (d) Establishment, construction, and operation of temporary medical facilities;
and
 - (e) Utilities, telecommunications, and other critical services in relation to operation of quarantine centers, medical relief and aid distribution centers and temporary medical facilities;
 - (f) Ancillary services related to the foregoing.
- (7) Ensure the availability of credit to the productive sectors of the economy especially in the countryside through measures such as, but not limited to, lowering the effective lending rates of interest and reserve requirements of lending institutions;
 - (8) Liberalize the grant of incentives for the manufacture or importation of critical or needed equipment or supplies for the carrying-out of the policy declared herein, including healthcare equipment and supplies;
 - (9) Require businesses to prioritize and accept contracts, subject to fair and reasonable terms, for materials and services necessary to promote the herein declared national policy;
 - (10) Regulate and limit the operation of all sectors of transportation through land, sea or air, whether private or public;
 - (11) Regulate traffic on all roads, streets, and bridges, and access thereto; prohibit putting up of encroachments or obstacles; authorize the removal of encroachments and illegal constructions in public places; and perform all other related acts;
 - (12) Continue to authorize alternative working arrangements for employees and workers in the Executive Branch, and whenever it becomes necessary, in other independent branches of government and constitutional bodies, and the private sector;
 - (13) Conserve and regulate the distribution and use of power, fuel, energy and water, and ensure adequate supply of the same;
 - (14) Notwithstanding any law to the contrary, direct the cancellation of appropriated programs, projects or activities (P/A/P) of any agency of the Executive Department, including government-owned or -controlled corporations (GOCC), in the FYs 2019 and 2020 General Appropriations Act (GAA), and utilize the savings generated there from to augment the

allocation for any item for support operations, response measures, and other such P/A/P in the FY 2020 GAA as the President may deem necessary, beneficial or desirable in order to address the COVID-19 emergency, consistent with the herein declared national policy;

- (15) Any unutilized or unreleased balance in a special purpose fund, as of the date of declaration of State of Emergency, shall be considered to have their purpose abandoned for the duration of the State of Emergency. All such unspent, unutilized or unreleased money or funds sourced from collections or receipts, including future collections and receipts, shall be utilized and are hereby appropriated for such measures to address the COVID-19 situation and accomplish the declared national policy herein;
- (16) Notwithstanding any law to the contrary, reprogram, reallocate, and realign any appropriation in the FY 2020 GAA for whatever purpose the President may deem necessary and desirable to fund measures to address and respond to the COVID-19 emergency, including social amelioration for affected communities, and the recovery and rehabilitation of areas where the emergency is subsiding. All amounts so reprogrammed, reallocated or realigned shall be deemed automatically appropriated for such measures to address the COVID-19 situation;
- (17) Notwithstanding any law to the contrary, the President is hereby authorized to allocate cash, funds, investments, including unutilized or unreleased subsidies and transfers, held by any GOCC or any national government agency for whatever purpose the President may deem necessary and desirable in order to address the COVID-19 emergency;
- (18) Move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under Community Quarantine;
- (19) Undertake such other measures as may be reasonable and necessary to enable the President to carry out the declared national policy subject to the Bill of Rights and other constitutional guarantees.

Section 5. Reports to Congress and Creation of an Oversight Committee.-

The President, within the first ten (10) days of every month, shall submit a monthly report to Congress of all acts performed pursuant to this Act during the preceding month. For this purpose, the Congress shall establish an Oversight Committee to determine whether such acts, orders, rules and regulations fall within the restrictions provided herein.

Section 6. Penalties. - Any violation of the rules, regulations and directives of the National Government issued pursuant hereto, shall be punishable with imprisonment of two (2) months or a fine of not less than Ten Thousand Pesos but not more than One Million Pesos, or both such imprisonment and fine at the discretion of the court, without prejudice to prosecution under other applicable laws with heavier penalties: *Provided*, however, That if the offender is a corporation, association, partnership or any other juridical person, the penalty shall be imposed upon the president, directors, managers, managing partners, as the case may be, who participated in the commission of the offense or who shall have knowingly permitted or failed to prevent the commission of the same. If the offender is an alien, he shall, in addition to the penalties herein prescribed, be deported without further proceedings; *Provided, further*, that if the offender is a public official or employee, he shall, in addition to the penalties prescribed herein, suffer perpetual or temporary absolute disqualification from office, as the case may be.

Section 7. Construction or Interpretation. - Nothing in this Act shall be construed or interpreted as a restriction of the Bill of Rights or of the Constitution. In case the exercise of the powers herein granted conflicts with other laws, this Act shall prevail.

Section 8. Separability. - If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of this Act or the application of such provision to any other person or circumstances shall not be affected by such declaration.

Section 9. Effectivity. - This Act shall take effect immediately upon its publication in a newspaper of general circulation or in the Official Gazette and shall be in full force and effect only for two (2) months or longer if the calamity will persist, as may be determined by the President, without prejudice to the powers that the President may continue to exercise under the Constitution or other laws. *Provided*, that the powers granted under this Act may be withdrawn sooner by means of a concurrent resolution of Congress or ended by Presidential Proclamation. *Provided*, further, that the implementation of all P/A/Ps that were cancelled pursuant to this Act may resume any time after the effectivity of this Act, notwithstanding provisions of law to the contrary.

Approved,