

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3047



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

AN ACT
PROHIBITING THE CONSUMPTION OF ALCOHOL IN ALL PUBLIC PLACES
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

The 1987 Philippine Constitution provides that: "The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." (Article II, Sec. 5).

The Lancet, a weekly peer-reviewed general medical journal and one of the world's oldest and best known general medical journals, reported that "Alcohol is more harmful than heroin or crack when the overall dangers to the individual and society are considered."

The study by the Independent Scientific Committee on Drugs, a United Kingdom-based independent drugs advisory committee, also reported that the findings were consistent with the conclusions of previous expert reports that aggressively targeting alcohol harms is a valid and necessary public health strategy (<http://www.bbc.com/news/uk-11660210>).

In 2008, the Pew Center on the States reported that: "an astounding one in every 100 adults in the U.S. was behind bars. While drunk driving gets the most attention, the incidence of other alcohol-involved crimes including domestic violence, underage drinking, and assault has reached staggering proportions."

The study found that 5.3 million adults or 36% of those under correctional supervision were drinking at the time of their offense while 40% of state prisoners convicted of violent crimes were under the influence of alcohol at the time of their offense (The Pew Charitable Trusts, *One in 100: Behind Bars in America*, 2008).

Alcoholism and violence have clearly become key public health issues that require urgent attention. Hence, it is imperative for the country to initiate proactive policies to curb alcohol consumption in public places.

This measure is a proactive response to the growing clamor of the people and President Rodrigo Roa Duterte's commitment to curb criminality in the country by banning the use of beer, wine, liquor and similar intoxicating beverages in public places.

It also seeks to prohibit business establishments such as restaurants, clubs, hotels, retail stores, and supermarkets to sell or serve alcohol from twelve (12)

o'clock to eight (8) o'clock in the morning, except those located in Metropolitan Manila and highly urbanized cities in the country which may be allowed to sell and serve alcohol between two (2) o'clock and eight (8) o'clock in the morning. Such exception takes into consideration the peculiar social life and interactions of the populace and commercial and economic activities in highly urbanized areas.

President Duterte's pronouncement that a nationwide liquor ban can improve the quality of life stands of the World Health Organization's findings that:

- Worldwide, 3 million deaths every year result from harmful use of alcohol, this represent 5.3 % of all deaths.
- The harmful use of alcohol is a causal factor in more than 200 disease and injury conditions.
- Overall 5.1 % of the global burden of disease and injury is attributable to alcohol, as measured in disability-adjusted life years' (DALYs).
- Alcohol consumption causes death and disability relatively early in life. In the age group 20-39 years approximately 13.5 % of the total deaths are alcohol-attributable.
- There is a causal relationship between harmful use of alcohol and a range of mental and behavioural disorders, other noncommunicable conditions as well as injuries.
- The latest causal relationships have been established between harmful drinking and incidence of infectious diseases such as tuberculosis as well as the course of HIV/AIDS.
- Beyond health consequences, the harmful use of alcohol brings significant social and economic losses to individuals and society at large.

Hence, immediate approval of this bill is earnestly requested.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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

SECTION 1. *Declaration of Policy.* — The State recognizes that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. Towards this end, the State shall undertake efforts to eliminate the consumption of intoxicating beverages in public places in order to protect the general public from any inconvenience, discomfort, or criminality that may be caused by alcoholic intoxication.

SEC. 2. *Definition of Terms.* — As used in this Act:

(a) "Alcohol" refers to ethyl alcohol, ethanol, or spirits of wine including all dilutions, purifications and mixtures thereof, from whatever source by whatever process produced and shall include whisky, brandy, rum, gin, tequila, and vodka and other similar products or mixtures. It shall also include malt beverages, mixed or fermented liquors, including tuba, basi, tapuy and lambanog including alcoholic beverages such as liquor or brew containing alcohol as the active agent;

(b) "Establishment" refers to a place used for commercial purposes, such as restaurants, clubs, hotels, retail stores, supermarkets, fast food chains, canteens, cafés, bar and cocktail lounges as well as dining and drinking establishments located in short-stay accommodations like hotels, inns, apartelles or motels and other places with common business areas; and

(c) "Public places" refer to all places that are accessible to the general public or places for collective use such as, but not limited to, streets, pathways, plazas; alleys; sidewalks; parks or playgrounds; or parking areas;

SEC. 3. *Restrictions in the Selling, Serving, and Consumption of Alcohol.* - The selling, serving, and consumption of alcohol is hereby prohibited in:

(a) All public places at all times; and

(b) All establishments between twelve (12) o'clock to eight (8) o'clock in the morning; *Provided*, however, That establishments located within Metropolitan Manila, highly urbanized areas, and Special Economic Zones or ECOZONES may be allowed to sell or serve alcohol between two (2) o'clock to eight (8) o'clock in the

morning.

SEC. 5. *Penalties.* - Any person of legal age or any business entity violating the prohibited acts as prescribed in the preceding sections shall suffer the penalty of imprisonment of not more than three (3) months or a fine of not less than ten thousand pesos (P10,000.00).

For succeeding offenses, both penalties shall apply in addition to the revocation of the license to operate a business connected with the selling of alcoholic or intoxicating liquor or beverage. If the violation of any provisions of this Act is committed by a corporation, partnership, association or similar entity, the president, General Manager or most senior officers shall be held liable for the offense.

SEC. 6. *Non-implementation of Violations of this Act.* - Any public officer vested with the duty to implement this Act, who shall knowingly and maliciously prevent, prohibit, refuse, discontinue, or violate the implementation of any provisions of this Act, or any of the rules and regulations promulgated in accordance thereof, shall be punished by imprisonment of not less than one (1) month but not more than six (6) months, and temporary suspension from public service.

The public officer liable under this Section shall, in addition to the imprisonment, be held administratively liable under applicable laws.

SEC. 7. *Compliance Monitoring and Evaluation.* - The Department of Interior and Local Government (DILG) shall regularly conduct compliance monitoring and evaluation to ensure the effective compliance to this Act.

SEC. 8. *Grievance and Complaints.* - The DILG shall establish complaints desks and such other facilities to report violations of this Act.

SEC. 9. *Implementing Rules and Regulations.* - The DILG, in consultation with the League of Barangays, concerned government and private agencies, and non-government organizations shall promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC. 10. *Repealing Clause.* - All laws, orders, proclamations, rules and regulations, or part thereof, which are inconsistent with any provision of this Act are hereby repealed or modified accordingly.

SEC. 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,