


20 MAR 23 A10 :13

**EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )**

RECEIVED BY: 

**SENATE**

**S. B. NO. 1413**

Introduced by **SENATORS VICENTE C. SOTTO III and PIA S. CAYETANO**

**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**

**EXPLANATORY NOTE**

Strangely empty streets. From one empty shelf to another in supermarkets. Closed shops. Factory closures. Curfews being implemented. Military and medical personnel are manning checkpoints. Class suspensions. People are staying at home. People are working from home. Socializing is restricted. Uncertainty and fear among people dominate. These are the "new normal" as the COVID-19 disease has been declared a public health emergency of international concern.

Currently, there are 308,594 COVID-19 cases and 13,069 deaths related to COVID-19 have been recorded all over the world<sup>1</sup>. Locally, there are 380 COVID-19 cases and 35 related deaths, as of 22 March 2020<sup>2</sup>. These figures are very far from the Department of Health data three weeks ago – with just five (5) cases on 5 March 2020<sup>3</sup>.

When local transmission has been discovered and the confirmed cases that day reached 20<sup>4</sup>, President Rodrigo Duterte, in the evening of 9 March 2020, formally declared a state of public health emergency in the Philippines through Proclamation No. 922<sup>5</sup> in order to mobilize governmental and nongovernmental agencies to respond to the outbreak of COVID-19.

Just three (3) days after the declaration of a state of public health emergency in the Philippines, or on 12 March 2020, President Duterte announced the partial lockdown, otherwise known as the “community quarantine,” of Metro Manila beginning at 12 midnight on 15 March 2020 until 14 April 2020. The said community quarantine suspended land, domestic air and domestic sea travel to and from Metro Manila to further control the spread of the virus. With the partial lockdown, President Duterte likewise ordered the banning of mass gatherings; suspension of work in the Executive Department, but with skeletal workforces; the Department of

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<sup>1</sup> <https://www.worldometers.info/coronavirus/>

<sup>2</sup> <https://www.cnnphilippines.com/news/2020/3/22/coronavirus-surge-in-cases-higher-death-toll-Philippines-March-22.html>

<sup>3</sup> <https://www.gmanetwork.com/news/news/nation/728576/philippines-records-2-more-covid-19-cases/story/>

<sup>4</sup> <https://www.gmanetwork.com/news/news/nation/728946/philippines-confirms-10-new-covid-19-cases-total-now-20/story/>

<sup>5</sup> <https://www.officialgazette.gov.ph/downloads/2020/03mar/20200308-PROC-922-RRD.pdf>

Labor and Employment to encourage a flexible work arrangements in the private sector; and the Department of Transportation to issue guidelines on social distancing in public transportation, among others. On this day also, there are 52 confirmed COVID-19 cases in the country, and mostly are confined and residing in Metro Manila.

Despite the continuing government efforts and interventions, the confirmed COVID-19 cases almost tripled even after the declaration of a state of public health emergency was made. Thus, to better combat the continuing spread of the virus, on 16 March 2020, another proclamation was made by President Duterte – which is Proclamation No. 929<sup>6</sup>. This time the earlier community quarantine now covers the whole of Luzon, and is now termed as “enhanced community quarantine.” The Luzon-wide quarantine mandates strict home quarantine, suspension of public transportation, travel restrictions, work-from-home arrangements, and closure of non-essential shops and businesses.

Moreover, by virtue of Proclamation No. 929, the President declared a State of Calamity in the whole Philippines for a period of six (6) months, unless earlier lifted. Such declaration will, among others, afford the national government as well as LGUs (local government units), ample latitude to utilize appropriate funds, including the Quick Response Fund, in their disaster preparedness and response efforts to contain the spread of COVID-19 and to continue to provide basic services to the affected population.

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<sup>6</sup> <https://www.officialgazette.gov.ph/downloads/2020/03mar/20200316-PROC-929-RRD.pdf>

Due to the implementation of the enhanced community quarantine, many Filipinos have been negatively affected by it financially – particularly those in the informal sector who are on a “no work, no pay” basis, which include janitors, drivers, and construction workers who were and still are not able to report to work; those public utility and TNVS drivers whose work was suspended; and those street and market vendors whose micro businesses were stopped. These people are mostly belonging to the poor or low income group.

The COVID-19 disease has greatly affected everyone’s lives – regardless of age, gender, and status. It started out as isolated in China hence was not taken seriously by many. And back then, the possibility of it reaching to our shores and to other countries is thought to be far-fetched. Fast forward to today, and we all know someone who knows someone who has or had COVID-19. Now, we are all fearing for ourselves and for our families.

In view of the foregoing, the government must work together to protect the people – both from the COVID-19 disease and the financial impact of the government interventions currently in place. Different times call for different measures. A whole-of-government approach must be done.

Article VI, Section 23 (2) of the 1987 Constitution states that:

“In times of war or other national emergency, the Congress may, by law, authorize the President, for a limited period and subject to such restrictions as it may prescribe, to exercise powers necessary and proper to carry out a declared national policy. Unless sooner withdrawn by resolution of the Congress, such powers shall cease upon the next adjournment thereof.”

Thus, this proposed measure seeks to allow the President to freely move funds from both the National Government and the Government-owned and Controlled Corporations to generate funds for the Emergency Subsidy Program to ensure that the 18 million low income households in the Philippines have enough provisions during the lockdown. Moreover, the President is given the authority to purchase, in the most expeditious manner, goods that are necessary for the protection of frontline health workers, laboratory and medical equipment, medical supplies, tools, medicines, and testing kits, among others, that shall ensure the immediate detection and treatment of COVID-19 patients.

This measure shall also allow the President to lower the effective lending rates of interest and reserve requirements of lending institutions in order to ensure the availability of credits to the productive sectors of the economy. Furthermore, the President is authorized to 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. Such other powers that have been exercised by the President during the period of community quarantine are laid down in this proposed bill.

In order to ensure that there will be no abuse in the exercise of the abovementioned powers, this bill has provided safeguards, such as the limit of time when the powers shall be exercised, the reportorial requirement, the creation of a Congressional Oversight Committee, and the authority given to the Congress to withdraw such powers granted under this measure anytime.

Through this proposed Act we can win this fight. And through this, we will heal as one.

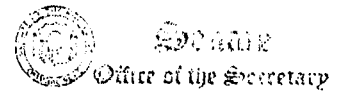
The virus that brought COVID-19 is spreading fast; hence, the government must likewise act fast.

Thus, the passage of this bill is earnestly sought.

  
**VICENTE C. SOTTO III**

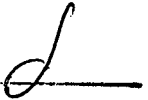
  
**PIA S. CAYETANO**

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THEREWITH, AND AUTHORIZING THE PRESIDENT OF THE  
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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:*

1       **Section 1. Short Title.** – This Act shall be known and cited as "*We*  
2       *Heal As One Act.*"

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

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

6 **Section 3. Declaration of Policy.** – The COVID-19 pandemic has  
7 greatly affected nations worldwide, including the Philippines, and has  
8 caused and is continuing to cause loss of lives and disruption to the  
9 economy. Thus, there is an urgent need to: (1) minimize, if not prevent,  
10 further transmission and spread of COVID-19; (2) immediately mobilize  
11 assistance in the provision of basic necessities to families and individuals  
12 affected by the imposition of Community Quarantine, especially indigents  
13 and their families; (3) undertake measures that will prevent the  
14 overburdening of the healthcare system; (4) immediately and amply  
15 provide healthcare, including medical tests and treatments, to COVID-19  
16 patients, persons under investigation (PUI), or persons under monitoring  
17 (PUM); (5) undertake a program for recovery and rehabilitation, including  
18 a social amelioration program and provision of safety nets to all affected  
19 sectors; (6) ensure that there is sufficient, adequate and readily available  
20 funding to undertake the foregoing; and (7) promote and protect the  
21 collective interests of all Filipinos in these challenging times. By reason  
22 thereof, and in order to optimize the efforts of the President to carry out  
23 the tasks needed to implement the aforementioned policy, it is imperative  
24 to grant him authority subject to such limitations as hereinafter provided.

25 **Section 4. Authorized Powers.** - Pursuant to Article VI, Section  
26 23 (2) of the Constitution, and to implement the declared national policy,  
27 the President is hereby authorized to issue such rules, regulations and  
28 directives as may be necessary to carry out any or all of the following  
29 powers:

- 30 (1) Adopt and implement measures to prevent or minimize further  
31 transmission and spread of COVID-19;  
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33 (2) Expedite the medical testing and observation of PUIs and PUMs  
34 and the immediate treatment of patients suffering from COVID-  
35 19;



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(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 consistent with 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, including other 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 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

1 in restraint of trade, or other pernicious practices affecting the  
2 supply, distribution and movement of food, clothing, medicine and  
3 medical supplies, fuel, fertilizers, chemicals, building materials,  
4 implements, machinery equipment and spare parts required in  
5 agriculture, industry and other essential services, and other  
6 articles of prime necessity, whether imported or locally produced  
7 or manufactured;

8 (6) Undertake the procurement of the following as the need arises, in  
9 the most expeditious manner, as exemptions from the provisions  
10 of Republic Act No. 9184 and other relevant laws:

11 (a) Goods, which may include personal protective equipment such  
12 as gloves, gowns, masks, goggles, face shields; surgical  
13 equipment and supplies; laboratory equipment and its reagents;  
14 medical equipment and devices; support and maintenance for  
15 laboratory and medical equipment, surgical equipment and  
16 supplies; medical supplies, tools, and consumables such as  
17 alcohol, sanitizers, tissue, thermometers, hand soap, detergent,  
18 sodium hydrochloride, cleaning materials, povidone iodine,  
19 common medicines (e.g., paracetamol tablet and suspension,  
20 mefenamic acid, vitamins tablet and suspension, hyoscine tablet  
21 and suspension, oral rehydration solution, and cetirizine tablet  
22 and suspension); testing kits, and such other supplies or  
23 equipment as may be determined by the DOH and other relevant  
24 government agencies.

25 (b) Goods and services for social amelioration measures in favour  
26 of affected communities;

27 (c) Lease of real property or venue for use to house health workers  
28 or serve as quarantine centers, medical relief and aid distribution  
29 locations, or temporary medical facilities;

30 (d) Establishment, construction, and operation of temporary medical  
31 facilities; and

- 1 (e) Utilities, telecommunications, and other critical services in  
2 relation to operation of quarantine centers, medical relief and aid  
3 distribution centers and temporary medical facilities;
- 4 (f) Ancillary services related to the foregoing.
- 5 (7) Ensure the availability of credit to the productive sectors of the  
6 economy especially in the countryside through measures such as,  
7 but not limited to, lowering the effective lending rates of interest  
8 and reserve requirements of lending institutions;
- 9 (8) Liberalize the grant of incentives for the manufacture or  
10 importation of critical or needed equipment or supplies for the  
11 carrying-out of the policy declared herein, including healthcare  
12 equipment and supplies;
- 13 (9) Require businesses to prioritize and accept contracts, subject to  
14 fair and reasonable terms, for materials and services necessary to  
15 promote the herein declared national policy;
- 16 (10) Regulate and limit the operation of all sectors of transportation  
17 through land, sea or air, whether private or public;
- 18 (11) Regulate traffic on all roads, streets, and bridges, and access  
19 thereto; prohibit putting up of encroachments or obstacles;  
20 authorize the removal of encroachments and illegal constructions  
21 in public places; and perform all other related acts;
- 22 (12) Continue to authorize alternative working arrangements for  
23 employees and workers in the Executive Branch, and whenever it  
24 becomes necessary, in other independent branches of government  
25 and constitutional bodies, and the private sector;
- 26 (13) Conserve and regulate the distribution and use of power, fuel,  
27 energy and water, and ensure adequate supply of the same;
- 28 (14) Notwithstanding any law to the contrary, direct the cancellation of  
29 appropriated programs, projects or activities (P/A/P) of any agency

1 of the Executive Department, including government-owned or -  
2 controlled corporations (GOCC), in the FYs 2019 and 2020 General  
3 Appropriations Act (GAA), and utilize the savings generated  
4 therefrom to augment the allocation for any item for support  
5 operations, response measures, and other such P/A/P in the FY  
6 2020 GAA as the President may deem necessary, beneficial or  
7 desirable in order to address the COVID-19 emergency, consistent  
8 with the herein declared national policy;

9 (15) Any unutilized or unreleased balance in a special purpose fund, as  
10 of the date of declaration of State of Emergency, shall be  
11 considered to have their purpose abandoned for the duration of  
12 the State of Emergency. All such unspent, unutilized or  
13 unreleased money or funds sourced from collections or receipts,  
14 including future collections and receipts, shall be utilized and are  
15 hereby appropriated for such measures to address the COVID-19  
16 situation and accomplish the declared national policy herein;

17 (16) Notwithstanding any law to the contrary, reprogram, reallocate,  
18 and realign any appropriation in the FY 2020 GAA for whatever  
19 purpose the President may deem necessary and desirable to fund  
20 measures to address and respond to the COVID-19 emergency,  
21 including social amelioration for affected communities, and the  
22 recovery and rehabilitation of areas where the emergency is  
23 subsiding. All amounts so reprogrammed, reallocated or realigned  
24 shall be deemed automatically appropriated for such measures to  
25 address the COVID-19 situation;

26 (17) Notwithstanding any law to the contrary, the President is hereby  
27 authorized to allocate cash, funds, investments, including  
28 unutilized or unreleased subsidies and transfers, held by any GOCC  
29 or any national government agency for whatever purpose the  
30 President may deem necessary and desirable in order to address  
31 the COVID-19 emergency;

32 (18) Move statutory deadlines and timelines for the filing and  
33 submission of any document, the payment of taxes, fees, and  
34 other charges required by law, and the grant of any benefit, in

1 order to ease the burden on individuals under Community  
2 Quarantine;

3 (19) Undertake such other measures as may be reasonable and  
4 necessary to enable the President to carry out the declared  
5 national policy subject to the Bill of Rights and other constitutional  
6 guarantees.

7 **Section 5. Reports to Congress and Creation of an**  
8 **Oversight Committee.** – The President, during Monday of every week,  
9 shall submit a weekly report to Congress of all acts performed pursuant  
10 to this Act during the immediately preceding week.

11 For this purpose, the Congress shall establish a Joint Congressional  
12 Oversight Committee composed of four (4) members of each house to be  
13 appointed by the Senate President and the House Speaker, respectively.  
14 This Committee shall determine whether such acts, orders, rules and  
15 regulations are within the restrictions provide herein. This Committee can  
16 override any acts, orders, rules and regulations determined to be  
17 exercised in excess of the restrictions provided herein.

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

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

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

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

Approved,