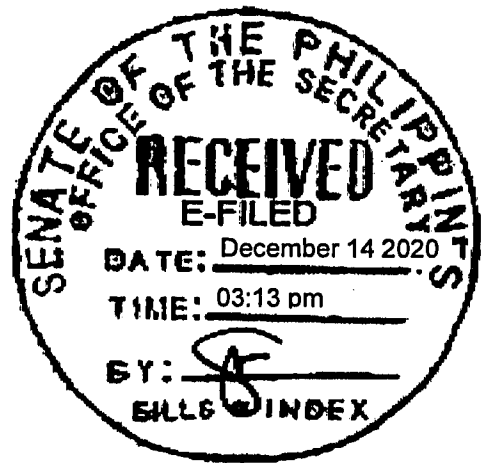


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

S. No. 1953



Introduced by Senator Ralph G. Recto

AN ACT
PROVIDING FOR ADDITIONAL MECHANISMS TO ACCELERATE THE
RECOVERY AND BOLSTER THE RESILIENCY OF THE PHILIPPINE
ECONOMY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

As of December 13, 2020, the bulletin issued by the Department of Health (DOH) revealed that there have been 449,400 coronavirus (COVID)-19 cases in the country, of which 8,733 people have died. In response to the unprecedented challenges from the COVID-19 pandemic, Congress passed Republic Act (R.A.) No. 11469 otherwise known as the "*Bayanihan* to Heal as One Act" in April, 2020 and R.A. No. 11494 otherwise known as the "*Bayanihan* to Recover as One Act" in September, this year.

These laws which are commonly known as *Bayanihan* 1 and 2, respectively, aided in putting in place stronger mechanisms in preventing and controlling COVID-19, reactivating the disrupted economic activities and reopening of shuttered industries and enterprises. These laws set up social safety nets to help struggling sectors cope with the impacts of the pandemic.

The key temporary emergency measures as outlined in *Bayanihan* 1 include the following:

1. Mandated the P5,000 to P8,000 per month cash aid for two (2) months to support 18 million low income households;

2. Facilitated prompt testing of Persons Under Investigation (PUIs) and Persons Under Monitoring (PUMs);
3. Required PhilHealth to pay the full cost of COVID-19 treatments;
4. Decreed frontliners to be given special risk allowance;
5. Directed PhilHealth to shoulder medical expenses of health workers exposed to COVID-19;
6. Provided P1,000,000.00 to health workers who died while fighting the COVID-19 pandemic;
7. Relaxed procurement laws for medical supplies;
8. Directed credit flow to key sectors of the economy, like food production; and
9. Instituted moratoriums in paying loans, rents and utilities.

On the other hand, *Bayanihan 2* mandated the following appropriations:

1. P13.5 Billion for health-related responses such as the continuous employment of existing emergency Human Resources for Health (HRH) and additional emergency HRH for hiring, actual hazard pay for all health workers and compensation of P1,000,000.00 to health workers who died while fighting the COVID-19 pandemic;
2. P3 Billion for the provision of personal protective equipment (PPEs) to COVID-19 referral hospitals;
3. P4.5 Billion to finance the construction of temporary medical isolation and quarantine facilities;
4. P13 Billion for cash-for-work programs for displaced workers such as Tulong Panghanapbuhay Para Sa Ating Disadvantaged/Displaced Workers (TUPAD), COVID-19 Adjustment Measures Program (CAMP) and Abot Kamay ang Pagtulong (AKAP) Program for Overseas Filipino Workers (OFWs) by the Department of Labor and Employment (DOLE);
5. P39.4 Billion for the infusion of capital to government financial institutions (GFIs) such as Philippine Guarantee Corporation (PhilGuarantee), Landbank of the Philippines (LBP), Development Bank of the Philippines (DBP), and Small Business Corporation (SBCorp.);

6. P24 Billion to provide direct cash or loan interest rate subsidies under the programs of DA-Agricultural Credit Policy Council;
7. P9.5 Billion to finance Department of Transportation (DOTr) programs;
8. P100 Million to finance the training and subsidies for tourist guides;
9. P3 Billion to assist state universities and colleges (SUCs) in the development of smart campuses to fully implement flexible learning modalities;
10. P600 Million for subsidies and allowances to qualified students;
11. P300 Million for subsidies and allowances of displaced teaching and non-teaching personnel;
12. P1 Billion for additional scholarship funds of Technical Education and Skills Development Authority (TESDA);
13. P6 Billion to finance Department of Social Welfare and Development (DSWD) programs;
14. P4 Billion to assist Department of Education (DepEd) in the implementation of Digital Education, IT and Digital Infrastructures and Alternative Learning Modalities;
15. P180 Million as allowances for national athletes and coaches;
16. P820 Million to augment Department of Foreign Affairs (DFA)-Office of the Migrant Workers Affairs of 2020 Assistance-to-National Fund for repatriation-related expenses;
17. P4 Billion for the tourism industry;
18. P4.5 Billion for the construction and maintenance of isolation facilities;
19. P10 Million for COVID-19 research;
20. P15 Million for the establishment of a computational laboratory in UP Diliman-Institute of Mathematics;
21. Standby fund of P25.5 Billion which includes P10 Billion for COVID-19 testing and procurement of COVID-19 medication and vaccine.

Bayanihan 2 also instituted moratoriums in paying loans, rents and utilities.

Notwithstanding these measures which cushion the socio-economic impact of the pandemic, our agony is not yet over as three typhoons which badly hit the Philippines in October and November 2020 had exacerbated the disastrous

impact of COVID-19. We were not yet able to fully flatten the curve and yet our country had already been battered by typhoons Rolly, Quinta and Ulysses which came in succession in two weeks' time. These three typhoons affected a total number of 1.25 million families, caused 119 deaths and left P14.9 and P9.8 worth of damages in infrastructure and agriculture, respectively.¹

If we were quick to act on *Bayanihan* 1 and 2, certainly, we can fast track this *Bayanihan* 3 as a continuing response to soften the impact of an economic downturn, accelerate the economic recovery of the country and respond to the urgent needs of areas battered by the recent typhoons.

Thus, this bill, otherwise known as the *Bayanihan* to Rebuild as One Act, aims to provide P485 Billion to help the country bounce back, to wit:

1. P55 Billion for the procurement of COVID- 19 medication and vaccines;
2. P55 Billion to be allocated for the handling of vaccines, hiring of contact tracers, testing and treatment under PhilHealth, and payment of actual hazard duty pay;
3. P100 Billion for worker subsidies;
4. P100 Billion for the capacity building of critically impacted sectors;
5. P70 Billion for additional social amelioration to affected households;
6. P20 Billion for assistance to households that have been severely impacted by recent typhoons;
7. P30 Billion for assistance to displaced workers;
8. P50 Billion for rehabilitation of typhoon-affected areas;
9. P3 Billion for internet allowances for DepEd K to 12 teachers and students; and
10. P2 Billion for the Commission on Higher Education (CHED) for internet allowances for tertiary level teachers and students.

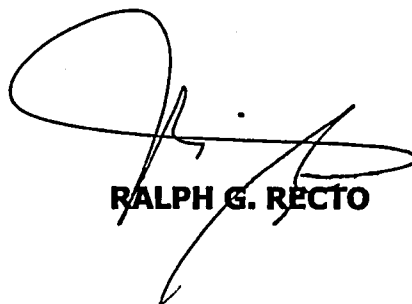
It has been more than two hundred and seventy (270) days since the community quarantine started on March 15, 2020. While vaccine shots are hopefully available next year to inoculate millions of Filipinos, *Bayanihan* 3 should nevertheless be enacted in order to help the economy further recover both from the twin

¹ National Disaster Risk Reduction and Management Council Situation Reports for Typhoons Rolly, Quinta and Ulysses.

challenges of the pandemic and natural calamities which continuously grapple the country.

Please note that this is a counterpart measure to House Bill No. 8031 filed by Representative Stella Quimbo of the 2nd District of Marikina City. While this bill, in the meantime, essentially adopts the provisions of the House Bill, this will be subject to the collective wisdom of the members of the Senate.

In light of the foregoing, the immediate passage of this bill is earnestly sought.



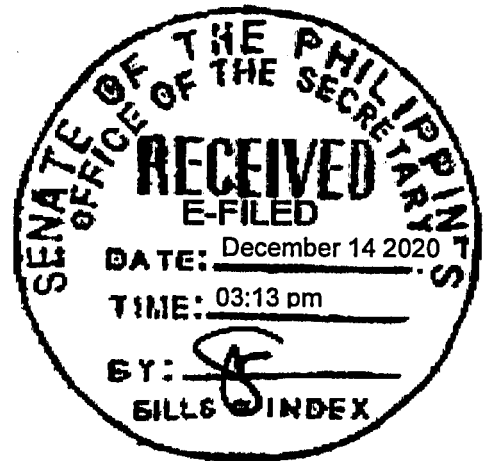
RALPH G. RECTO

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AN ACT
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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 “*Bayanihan* to
2 Rebuild As One Act”.
- 3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 promote a just and dynamic social order that will ensure the prosperity and
5 independence of the nation and free the people from poverty, particularly in the
6 aftermath of natural and man-made disasters, through policies that provide
7 adequate social services, promote full employment, ensure a rising standard of
8 living, and support an improved quality of life for all. Towards this end, and in
9 cognizance of the adverse impact of the 2019 Coronavirus Disease (COVID-19)
10 pandemic and other natural calamities to the Philippine economy and society, the
11 State shall introduce additional mechanisms to achieve the following objectives:
- 12 (a) Reduce the adverse impact of Covid-19 on the socioeconomic well-being of
13 Filipinos through the provision of assistance, subsidies, and other forms of
14 socioeconomic relief;
- 15 (b) Sustain efforts to test, trace, isolate, and treat COVID-19 cases to mitigate the
16 transmission of the disease and prevent further loss of lives;
- 17 (c) Mitigate the economic costs and losses stemming from the COVID-19

1 pandemic;

2 (d) Restore public trust and confidence on social and economic institutions; and

3 (e) Accelerate the recovery and bolster the resilience of the Philippine economy
4 through measures grounded on economic inclusivity and collective growth.

5 **Sec. 3. COVID-19 Response and Recovery Interventions.** – The following shall
6 be undertaken and implemented as COVID-19 response and recovery interventions:

7 (a) Health-related responses:

8 (1) Procurement of COVID-19 medication and vaccines, and to finance
9 logistics and operational expenses related thereto;

10 (2) Provision of COVID-19 Cold Storage Supply Chain and logistical
11 requirements of the Department of Health (DOH);

12 (3) Hiring of contact tracers to be implemented by the Department of
13 Interior and Local Government (DILG) which shall include, but not
14 limited to, recruitment, training, compensation, monitoring, logistics,
15 and operational expenses;

16 (4) Testing and treatment to be covered under the National Health
17 Insurance Program of the Philippine Health Insurance Corporation
18 (PhilHealth); and

19 (5) Payment of actual hazard duty pay for all health workers serving in the
20 frontline during the pandemic.

21 (b) Wage or non-wage subsidies:

22 (1) Transfers directly paid to the Social Security System (SSS) to subsidize
23 payment of the employee share of premium contributions for micro,
24 small, and medium-sized enterprises (MSMEs);

25 (2) Transfers to the SSS to ensure expanded sick leaves for workers who
26 contract COVID-19;

27 (3) Subsidies for COVID-19 testing of workers in micro, small, and
28 medium-sized enterprises (MSMEs); and

29 (4) Other forms of subsidies that have the effect of increasing deployment
30 of vulnerable workers or re-employment of displaced workers.

31 (c) The provision of capacity building to critically impacted sectors that are
32 strategic for economic growth, as determined by the Department of Trade

1 and Industry (DTI) and the Development Budget Coordination Committee
2 (DBCC);

3 (d) The provision of internet allowances to teachers and students in primary,
4 secondary, and tertiary public schools; and

5 (e) The use of government savings to fund government projects or measures
6 which are implementation-ready and with large multiplier effects, such as
7 infrastructure projects, including but not limited to flood control and
8 socialized housing projects. Notwithstanding any law to the contrary, the
9 President shall have the power to reprogram, reallocate, and realign from
10 savings on other items in the FY 2020 GAA in the Executive Department, as
11 may be necessary to implement this provision.

12 **Sec. 4. Calamity Response Interventions.** – The following shall be undertaken
13 and implemented as response to recent typhoons that have impacted the country:

14 (a) The provision of emergency subsidies to households that have been severely
15 impacted by recent typhoons;

16 (b) The provision of unemployment assistance or cash-for-work for displaced
17 workers, including cash for clean-up duties and home building for typhoon
18 affected areas; and

19 (c) The provision of relief and rehabilitation assistance for flood and typhoon
20 victims and the repair, reconstruction and/or construction of all flood control
21 works, roads, bridges, public buildings and other damaged public works, to be
22 distributed proportionately among the provinces and cities affected.

23 **Sec. 5. Procurement of COVID-19 Drugs and Vaccines.** – Notwithstanding any
24 law to the contrary, the requirement of Phase IV trials for COVID-19 medication and
25 vaccine stipulated in the Universal Health Care Act is hereby waived to expedite the
26 procurement of said medication and vaccine: *Provided*, That these are
27 recommended and approved by the World Health Organization (WHO) and/or other
28 internationally recognized health agencies: *Provided, further*, That the minimum
29 standards for the distribution of the said medication and vaccines shall be
30 determined by the Food and Drug Administration (FDA) and Health Technology
31 Assessment Council (HTAC), as may be applicable: *Provided, furthermore*, That
32 notwithstanding any laws to the contrary, advance payment not exceeding fifty

1 percent (50%) of the contract amount, unless otherwise directed by the President,
2 shall also be allowed for the procurement of COVID-19 drugs and vaccines:
3 *Provided, even further,* That nothing in this Act shall prohibit private entities from
4 conducting research, developing, manufacturing, importing, distributing or selling
5 COVID-19 vaccines sourced from registered pharmaceutical companies, subject to
6 the provisions of this Act and existing laws, rules and regulations: *Provided, finally,*
7 That this section shall remain in effect until such time that the DOH has fully
8 implemented its COVID-19 program notwithstanding the expiration of this Act.

9 **Sec. 6. *Procurements Made to Respond to Calamities.*** – Notwithstanding any
10 law to the contrary, goods required to address contingencies arising from natural or
11 man-made calamities shall be procured in the most judicious, economical, and
12 expeditious manner, as exemptions from the provisions on bidding processes
13 required under Republic Act No. 9184 or the “Government Procurement Reform Act”
14 and other relevant laws: *Provided,* That the following information and documents
15 related to the procurement shall be published in the Government Procurement Policy
16 Board (GPPB) online portal, the website of the procuring entity concerned, if
17 available, and at any conspicuous place reserved for this purpose in the premises of
18 the procuring entity within five (5) working days from the date of acceptance of the
19 award:

- 20 (i) Project name;
- 21 (ii) Approved budget for contract;
- 22 (iii) Contract period;
- 23 (iv) Name of winning supplier, distributor, manufacturer, contractor, or
24 consultant;
- 25 (v) Amount of contract as awarded;
- 26 (vi) Notice of award;
- 27 (vii) Date of award and acceptance;
- 28 (viii) Contract or purchase order; and
- 29 (ix) A certification stating that the procuring entity exerted all efforts to
30 secure the most advantageous price to the government based on
31 existing price data of the agency, the DTI, or other relevant agencies

1 or preliminary market scanning done by the agency showing prevailing
2 market prices and practices:

3 *Provided, further,* That notwithstanding any laws to the contrary, advance
4 payment not exceeding fifty percent (50%) of the contract amount, unless otherwise
5 directed by the President, shall also be allowed for the procurement of goods under
6 this Section.

7 *Sec. 7. Regularization of MSMEs.* – To ensure that MSMEs are able to avail of
8 programs, the Commissioner of the Bureau of Internal Revenue (BIR) shall waive
9 registration and other related fees of MSMEs for the duration of the effectivity of this
10 Act and if necessary, provide accommodation for the registration process and
11 compliance of MSMEs.

12 The DTI Secretary shall issue the necessary rules and regulations to provide
13 special accommodation for the registration and compliance with regulatory
14 requirements of MSMEs, including those registered under the Securities and
15 Exchange Commission (SEC).

16 Local government units (LGUs) shall be encouraged by the DILG and the
17 Department of Finance-Bureau of Local Government Finance (DOF-BLGF) to waive
18 similar local registration and processing fees.

19 The Negosyo Centers under the DTI shall coordinate with national and local
20 government agencies and LGUs to ensure the widest dissemination of information
21 and benefits under this program, as well as other programs offered by sectors,
22 donor agencies, and bilateral partners.

23 *Sec. 8. Credit Mediation and Restructuring Service.* – To ensure that MSMEs
24 are able to fulfill obligations under more favorable terms of credit, to strengthen the
25 liquidity and financial position thereof, and to expedite the country's economic
26 recovery, there shall be created a Credit Mediation and Restructuring Service
27 (CMRS), through the Negosyo Centers or any other business assistance office of the
28 LGU, to act as credit advisers and mediators between MSMEs and the banks and
29 lending institutions, and assist MSMEs in obtaining favorable credit and loan terms
30 from the banks and lending institutions.

31 The CMRS shall: (i) ensure that an MSME is given sound financial advice on,
32 among others, the proposed borrowing, the risks involved, and the financial position

1 and operation of the relevant MSME; (ii) assist in evaluation of the financing; (iii)
2 oversee the negotiation process until terms of financing are agreed upon; and (iv)
3 ensure that an MSME is given better access to financing and to a fair and
4 transparent borrowing and appeals process.

5 The Negosyo Centers shall coordinate with LGUs, financial institutions and
6 government agencies to ensure the widest dissemination of information and benefits
7 under this program.

8 The DTI Secretary, together with the head of private sector associations
9 representing MSMEs and financial institutions, shall jointly issue the implementing
10 rules and regulations of this Section within ten (10) days from the effectivity of this
11 Act.

12 *Sec. 9. Long-term Plan for Economic Resilience.* – The National Economic and
13 Development Authority (NEDA) shall submit to Congress a long-term plan for
14 building economic resilience, not later than six (6) months after the effectivity of this
15 Act. The Economic Resilience Plan (ERP) shall include a strategy for measuring and
16 monitoring economic resilience and identification of structural reforms needed to
17 increase the ability of the economy to withstand and recover from shocks. The plan
18 shall include the institutionalization of national measures that account for ecosystem
19 services and natural capital accounting and ensure that the totality of government
20 medium term development plans and projects are well within the capacities to
21 produce materials or links as may be determined by NEDA. The ERP shall include the
22 following:

23 (a) The required investments in the health care sector in the next ten (10)
24 years to ensure its ability to respond to the health care needs of the
25 population, including emerging infectious diseases similar to COVID-19;

26 (b) The required investment in digital infrastructure to improve connectivity
27 and access to digital technology to enable Philippine businesses and
28 households to cope with crisis and shocks;

29 (c) The required database to ensure the responsiveness of social protection
30 programs of the government for vulnerable and displaced households during
31 period of external shocks such as the outbreak of COVID-19; and

1 (d) The required key climate change adaptation and mitigation investments
2 to operationalize a low emissions and climate-resilient development pathway
3 toward a green economy.

4 **Sec 10. *Review of Flood Management Masterplan.*** – The NEDA, in
5 coordination with the Department of Public Works and Highways (DPWH) and the
6 Department of Environment and Natural Resources (DENR), shall review, and revise
7 as necessary, the Flood Management Masterplan for Metro Manila and Surrounding
8 Areas in order to improve disaster risk reduction and resilience, considering the
9 proposed plans of LGUs for their respective jurisdictions. The revised masterplan
10 shall be submitted to Congress within three (3) months from the effectivity of this
11 Act.

12 **Sec. 11. *Creation of the Bayanihan Council.*** – A joint executive and legislative
13 council is hereby created in order to monitor disbursements under this Act. The
14 Bayanihan Council (Council) shall be tasked with ensuring that interventions are
15 well-targeted to intended beneficiaries and funds are disbursed properly and in a
16 timely manner. The Council shall publicly publish monthly reports on all actions
17 taken under this Act.

18 **Sec. 12. *Composition of the Council.*** – Members of the Council shall include
19 the President of the Senate, the Speaker of the House of Representatives, seven (7)
20 members of the Cabinet to be designated by the President, three (3) members of
21 the Senate to be designated by the President of the Senate, and three (3) members
22 of the House of Representatives to be designated by the Speaker of the House of
23 Representatives, at least one of whom shall come from the dominant minority party.

24 **Sec. 13. *Appropriations.*** – The following amounts, or so much thereof as may
25 be necessary, are hereby appropriated and shall be used to support operations and
26 response measures to address the COVID-19 pandemic as provided under Section 3
27 of this Act, and the impact of recent typhoons as provided in Section 4 of this Act:

28 (a) Fifty-five Billion pesos (P55,000,000,000.00) for the procurement of
29 COVID-19 medication and vaccines, and to finance logistics and
30 operational expenses related thereto;

31 (b) Fifty-five Billion pesos (P55,000,000,000.00) for health-related responses
32 as provided under Section 3(a) of this Act, to be allocated as follows:

- 1 (1) Twenty Billion pesos (P20,000,000,000.00) for the provision of
2 COVID-19 Cold Storage Supply Chain and logistics, as provided under
3 Section 3(a)(2) of this Act;
- 4 (2) Five Billion pesos (P5,000,000,000.00) for the hiring of contact
5 tracers, as provided under Section 3(a)(3) of this Act;
- 6 (3) Fifteen Billion pesos (P15,000,000,000.00) for the testing and
7 treatment, as provided under Section 3(a)(4) of this Act; and
- 8 (4) Fifteen Billion pesos (P15,000,000,000.00) for the payment of actual
9 hazard duty pay, as provided under Section 3(a)(5) of this Act.
- 10 (c) One Hundred Billion pesos (P100,000,000,000.00) for worker subsidies
11 provided under Section 3(b) of this Act;
- 12 (d) One Hundred Billion pesos (P100,000,000,000.00) for the capacity
13 building of critically impacted sectors that are strategic for economic
14 growth, as provided under Section 3(c) of this Act;
- 15 (e) Seventy Billion pesos (P70,000,000,000.00) for the provision of
16 emergency subsidies and assistance to households impacted by the
17 COVID-19 pandemic through a social protection distribution system, such
18 as but not limited to the Assistance for Individuals in Crisis Situation
19 (AICS) program of the Department of Social Welfare and Development
20 (DSWD);
- 21 (f) Twenty Billion pesos (P20,000,000,000.00) for the provision of emergency
22 subsidies and assistance to households that have been severely impacted
23 by recent typhoons as provided under Section 4(a) of this Act;
- 24 (g) Thirty Billion pesos (P30,000,000,000.00) for the implementation of
25 unemployment assistance and cash-for-work programs, including cash-
26 for- clean-up and cash-for-home building programs, for displaced workers
27 as may be necessary in the management of, or response to, the
28 pandemic, or to address the impact of recent typhoons and calamities,
29 such as, but not limited to, the Tulong Panghanapbuhay sa Ating
30 Disadvantaged/Displaced Workers (TUPAD), COVID-19 Adjustment
31 Measures Program (CAMP), and Abot Kamay ang Pagtulong (AKAP)
32 programs under the Department of Labor and Employment;

1 (h) Fifty Billion pesos (P50,000,000,000.00) for the relief and rehabilitation
2 assistance for flood and typhoon victims and for the repair, reconstruction
3 and/or construction of all flood control works, roads, bridges, public
4 buildings and other damaged public works, to be distributed
5 proportionately among the provinces and cities affected;

6 (i) Three Billion pesos (P3,000,000,000.00) for the Department of Education
7 for internet allowances for K to 12 teachers and students as provided
8 under Section 3(d) of this Act; and

9 j) Two Billion pesos (P2,000,000,000.00) for the Commission on Higher
10 Education (CHED) for internet allowances for tertiary level teachers and
11 students as provided under Section 3(d) of this Act.

12 **Sec. 14. *Separability Clause.*** – If any part, section or provision of this Act is
13 held invalid or unconstitutional, other provisions not affected thereby shall remain in
14 full force and effect.

15 **Sec. 15. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations
16 or parts thereof inconsistent with this Act are hereby repealed or amended
17 accordingly.

18 **Sec. 16. *Effectivity.*** – This Act shall take effect immediately upon its
19 publication in the *Official Gazette* or in a newspaper of general circulation, until
20 adjournment of the Second Regular Session of the Eighteenth Congress on June 4,
21 2021.

Approved,