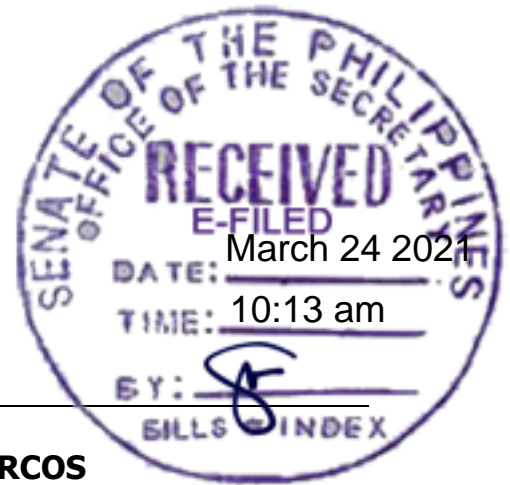


EIGHTEENTH CONGRESS OF THE)  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

SENATE  
P.S. Resolution No. 690



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Introduced by **SENATOR IMEE R. MARCOS**

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**RESOLUTION**  
**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT**  
**AN INQUIRY, IN AID OF LEGISLATION, INTO THE POLICIES AND**  
**ISSUANCES OF THE GOVERNMENT RELATIVE TO THE PROCUREMENT AND**  
**ADMINISTRATION OF COVID-19 VACCINES, AMIDST REPORTS THAT**  
**SOME PRIVATE ENTITIES ARE NOT ALLOWED TO PROCURE VACCINES**  
**AND/OR MAKE DONATIONS TO THE COVID-19 RESPONSE OF THE**  
**GOVERNMENT**

**WHEREAS**, Article II, Section 15 of the 1987 Constitution states that, "*The State shall protect and promote the right to health of the people and instill health consciousness among them.*" Further, Article XIII, Section 11 provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost;

**WHEREAS**, the Coronavirus Disease 2019 (COVID-19) pandemic has taken the world aback. In the Philippines alone, as of 22 March 2021, there are a total of 671,792 cases, 12,972 deaths, and, on the same date, had its highest single-day tally with 8,019 cases;

**WHEREAS**, to prevent the further spread of the virus, R.A. No. 11525 entitled, "*An Act Establishing the Coronavirus Disease 2019 (COVID-19) Vaccination Program Expediting the Vaccine Procurement and Administration Process, Providing Funds Therefor, and For Other Purposes,*" was enacted on 26 February 2021 which seeks to address the adverse impact of COVID-19 through the procurement and administration of safe and effective COVID-19 vaccines by the National Government through the Department of Health (DOH) and the National Task Force Against COVID-19 (NTF), and other duly constituted authorities and instrumentalities;

**WHEREAS**, Section 5 of R.A. 11525 provides for the "*Procurement and Administration of COVID-19 Vaccines by Private Entities*" which states that private

entities may procure COVID-19 vaccines only in cooperation with the DOH and the NTF through a multiparty agreement which shall include the DOH and the relevant supplier of COVID-19 vaccine, among others;

**WHEREAS**, it has come to the attention of the public that the DOH has a draft Administrative Order (AO) to implement the said Act and entitled, *"Implementing Rules and Regulations of the Selected Sections under Republic Act No. 11525 known as "An Act Establishing the Coronavirus Disease 2019 (COVID-19) Vaccination Program Expediting the Vaccine Procurement and Administration Process, Providing Funds Therefor, and For Other Purposes"*. The said draft Administrative Order includes the guidelines in the procurement and administration of COVID-19 vaccines by private entities through a multi-party agreement. However, it specifically excluded private entities which are, in any way, related to the tobacco industry and other products covered under Executive Order 51, series of 1986 or the *"National Code of Marketing of Breastmilk Substitutes, Breastmilk Supplement and Other Related Products"*, including those engaged in other industries deemed in conflict with public health;

**WHEREAS**, in 2010, the Civil Service Commission (CSC) and the DOH issued Joint Memorandum Circular 2010-01 entitled, "Protection of the Bureaucracy Against Tobacco Industry Interference". Apparently, the said joint administrative circular is one of the bases in disallowing some private entities in the procurement of Covid-19 vaccines and in making donations to the Covid-19 response of the government;

**WHEREAS**, it is clearly discriminatory to interpret that a private entity's desire to participate in the vaccination program of the government, through the procurement of vaccines in cooperation with the concerned government agencies, is deemed as tobacco industry interference in the bureaucracy or in conflict with the interest of public health;

**WHEREAS**, the Philippine Chamber of Commerce and Industry (PCCI) called on the government to allow private entities to directly purchase vaccines from accredited sources. PCCI President Benedicto Yujuico urged the government to accelerate its vaccine procurement and rollout to ensure the safety of the workers, improve consumer confidence, and hasten the recovery of the economy. Yujuico added, *"It must allow the private sector to import vaccines without restrictions or conditions so we could move quickly and efficiently in vaccinating more people"*;

**WHEREAS**, the Federation of Filipino Chinese Chambers of Commerce and Industry Inc. (FFCCCII) has also been trying to get a hold of COVID-19 vaccines but were reportedly being blocked to do so;

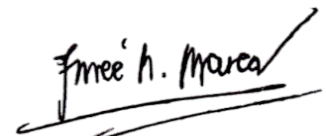
**WHEREAS**, R.A. No. 11525 was passed by both Houses of Congress in February 2021 to expedite the mass immunization program and to contain and prevent the spread of the virus;

**WHEREAS**, with the continued surge of COVID-19 infections, the country aims to vaccinate up to 70 million of its population this year to achieve herd immunity and revive the economy;

**WHEREAS**, it is imperative that the procurement and administration of COVID-19 vaccines by private entities should cover all sectors in order to protect the public especially workers under those industries;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, into the policies and issuances of the government relative to the procurement and administration of COVID-19 vaccines, amidst reports that some private entities are not allowed to procure vaccines and/or make donations to the Covid-19 response of the government.

*Adopted,*

  
**IMEE R. MARCOS**