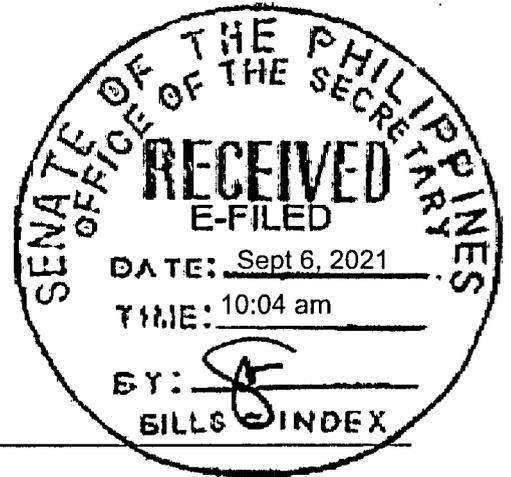


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE
S. No. 2381



Introduced by **SENATORS PIA S. CAYETANO, FRANKLIN M. DRILON,**
and **SONNY ANGARA**

AN ACT
CREATING A VACCINE PASSPORT PROGRAM, AMENDING FOR THIS
PURPOSE REPUBLIC ACT NO. 11525, OTHERWISE KNOWN AS THE COVID-
19 VACCINATION PROGRAM ACT OF 2021, AND PROVIDING FUNDS
THEREFOR

EXPLANATORY NOTE

Recognizing COVID-19's highly contagious nature and deadly consequences, governments around the world were forced to limit the movement of millions of people, restricting travel, closing shops, restaurants, and other businesses, and banning large gatherings, among others. The development of many COVID-19 vaccines in the last quarter of 2020 and the vaccine rollout in 2021 provided hope that such limitations will soon be eased. The COVID-19 Inter-Agency Task Force on Emerging Infectious Diseases - National Task Force (IATF-EID) stated in the 2nd Philippine COVID-19 Vaccination Program Implementation Report that the government is "anticipating the arrival of around 173.9 million doses of COVID-19 vaccines, in aggregate, before the end of the year." As of 31 August 2021, the Philippines has administered a total of 33,099,392 doses of the COVID-19 vaccine to Filipinos, 19,314,711 of whom have received their first dose while 13,784,681 have received their second dose.¹

¹ Department of Health (Philippines). (2021, Aug 31). Vaccine Rollout Update: 31 August 2021. [Facebook update]. https://web.facebook.com/OfficialDOHgov/photos/pb.156566631021264.-2207520000..4671809372830278/?type=3&eid=ARDhXcvmvZT7c4B90nUIEwhgtEZtPXwO2MEaQj1mrjEVmS5784brqTxPmlvzh1ylkeqOR98wcU2wDK32&_rdc=1&_rdr

Worldwide, several countries, such as Brunei, Canada, China, countries in the European Union (EU), the United Arab Emirates, and the United Kingdom, have implemented their vaccine passport/card/certificate programs to facilitate safer transborder travels given that international and, in some instances, local travel remain highly restrictive. Inbound quarantine regulations, which provide different rules for individuals depending on their vaccination status, have been put into effect by several countries as well. Because of this, there are reports that a global system for the international recognition and validation of vaccine passports is under development.

A vaccine passport also helps to open businesses and establishments, restarting economic and cultural activity. Countries like South Korea,² Israel, France,³ Greece, Spain, Belgium,⁴ Italy,⁵ Denmark⁶ and other EU countries,⁷ as well as Switzerland⁸ have implemented a similar vaccine pass or other proof of vaccination that will allow access to cultural sites, gyms, theaters, museums, restaurants, bars, and cafés.

Expanding on the COVID-19 vaccine cards provided in Section 12 of Republic Act No. 11525 or the COVID-19 Vaccination Program Act of 2021, a Vaccine Passport Program can help facilitate the country's vaccination efforts. This bill seeks to create and implement a Vaccine Passport Program which shall provide an individual's record of COVID-19 vaccinations, RT-PCR testing, any benefits or exemptions, and other information determined to be necessary. It will address issues on identifying who has

² Lee, J. (2021, June 21). Digital vaccine passports aim to help South Koreans get back on the road. *The Telegraph*. <https://www.telegraph.co.uk/global-health/science-and-disease/digital-vaccine-passports-aim-help-south-koreans-get-back-road/>

³ Covid passports: How do they work around the world? (2021, July 26). *BBC News*. <https://www.google.com/amp/s/www.bbc.com/news/world-europe-56522408.amp>

⁴ Kelleher, S. (2021, July 27). Europe sees vaccine passport explosion for hotels, restaurants, museums, and more. *Forbes*. <https://www.google.com/amp/s/www.forbes.com/sites/suzannerowankelleher/2021/07/27/europe-vaccine-passports-hotels-restaurants-museums/amp/>

⁵ Santalucia, P. (2021, Aug 10). Italy now requires a "vaccine passport" for museums and indoor dining. *AFAR*. <https://www.afar.com/magazine/italy-requires-a-green-pass-to-visit-museums-dine-indoors>

⁶ Mageit, S. (2021, April 14). Denmark launches COVID-19 passport 'Coronapas'. *Healthcare IT News*. <https://www.healthcareitnews.com/news/emea/denmark-launches-covid-19-passport-coronapas>

⁷ O'Leary, N. (2021, June 29). Indoor hospitality around the EU: Vaccine certs, ventilation and early last calls. *The Irish Times*. <https://www.google.com/amp/s/www.irishtimes.com/life-and-style/food-and-drink/indoor-hospitality-around-the-eu-vaccine-certs-ventilation-and-early-last-calls-1.4606765%3fmode=amp>

⁸ Federal Office of Public Health of the Swiss. (n.d.). *Coronavirus: COVID certificate*. <https://www.bag.admin.ch/bag/en/home/krankheiten/ausbrueche-epidemien-pandemien/aktuelle-ausbrueche-epidemien/novel-cov/covid-zertifikat.html#1080338677>

been vaccinated, what vaccination was given, how many doses have been administered, and other related matters. It shall further provide the government with a means to monitor distribution of the vaccines, including post-market surveillance. Having a Vaccine Passport is proof that an individual has received the vaccines, and may allow him/her benefits or exemptions from COVID-19 restrictions as may be provided by the IATF-EID.

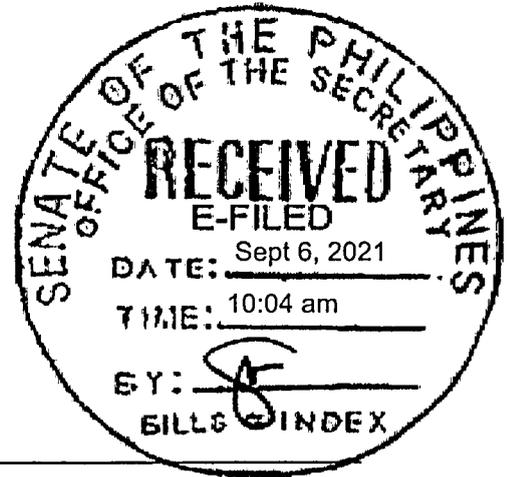
In view of the foregoing, the immediate passage of this bill is earnestly sought.


PIA S. CAYETANO


FRANKLIN M. DRILON


SONNY ANGARA

EIGHTEENTH CONGRESS OF THE)
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AN ACT
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PURPOSE REPUBLIC ACT NO. 11525, OTHERWISE KNOWN AS THE COVID-
19 VACCINATION PROGRAM ACT OF 2021, AND PROVIDING FUNDS
THEREFOR

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Vaccine Passport*
2 *Program Act*".

3 Sec. 2. *Declaration of Policy.* – The Constitution mandates that the State shall
4 protect and promote the right to health of the people and instill health consciousness
5 among them.

6 The State recognizes the importance of preventive healthcare and the need to
7 take proactive measures in the fight against diseases, particularly COVID-19. It
8 acknowledges that a comprehensive and sustainable immunization program for
9 vaccine-preventable diseases is indispensable to achieve the objectives of universal
10 healthcare and the country's commitments to the Sustainable Development Goals
11 (SDGs), particularly on SDG 3 (Good Health and Well-Being). A Vaccine Passport
12 Program can help facilitate COVID-19 immunization and future immunization
13 programs by allowing the State to track who has been vaccinated and where priority
14 vaccinations should take place. It also serves as a means to monitor the vaccines'
15 effects and the effectivity of immunization programs. Towards this end, the State shall

1 adopt and implement a Vaccine Passport Program to facilitate its COVID-19 and future
2 immunization programs against vaccine-preventable diseases.

3 Sec. 3. *Vaccine Passport Program.* – Subject to the provisions of Republic Act
4 No. 10173 or the “Data Privacy Act of 2012” and to the guidelines to be promulgated
5 by the Department of Health (DOH), the Local Government Units (LGUs) shall issue a
6 vaccine passport to all COVID-19 vaccinated individuals. The vaccination records in
7 the vaccine passports shall be verifiable in a DOH central database.

8 The vaccine passport shall contain the following information:

- 9 a) Basic personal information such as full name, present and/or permanent
10 address, and birthdate;
- 11 b) Manufacturer, brand name, and batch number or other identifier of the
12 COVID-19 vaccine;
- 13 c) Date of vaccination;
- 14 d) Name of the hospital, health center, or health facility where the vaccine
15 was received;
- 16 e) Name, signature and license number of the duly licensed physician,
17 nurse or other authorized health worker administering the vaccine;
- 18 f) Date and results of the last RT-PCR testing and the name of the
19 laboratory that conducted the last RT-PCR testing, if applicable; and
- 20 g) Such other information which may be determined as necessary by the
21 Secretary of Health or the IATF-EID in line with the declared policy of
22 this Act.

23 The issuance of a vaccine passport is intended to be digital, but shall remain
24 accessible through other means such as printed passports. The Department of
25 Information and Communications Technology, shall develop the digital systems and
26 applications based on LGU-driven data that will meet the objectives of the COVID-19
27 Vaccination Program while maintaining quality, safety, ease of use, and accessibility
28 for all Filipinos: *Provided,* That the DOH shall maintain a central database of
29 vaccinations, and mandate a format for the vaccine passport to ensure uniformity and
30 authenticity, the contents of which shall be updated accordingly to always conform
31 with globally accepted standards: *Provided, further,* that vaccine passports already

1 issued prior to the implementation of this Act shall remain valid and may be replaced
2 with the new format as mandated by the DOH.

3 No funds shall be collected for the issuance, amendment, or replacement of a
4 vaccine passport.

5 *Sec. 4. Benefits of Receiving the COVID-19 Vaccine.* – Individuals partially or
6 fully vaccinated against COVID-19 as evidenced in their vaccine passport may be
7 granted certain benefits or exemptions, subject to guidelines issued by the IATF-EID,
8 such as but not limited to:

- 9 a) Non-essential domestic travel;
- 10 b) International travel, as may be allowed in foreign jurisdictions;
- 11 c) Local checkpoint and quarantine exemptions or reduced quarantine
12 time; and
- 13 d) Access to business establishments allowed to operate based on IATF-
14 EID guidelines, such as but not limited to, indoor and outdoor dining,
15 entertainment venues, cultural centers such as museums and galleries,
16 and sports venues.

17 *Provided,* That individuals who tested positive in the last 14 days for COVID-19
18 based on the latest RT-PCR test recorded in their vaccine passport shall not be granted
19 any benefit or exemption as provided in this Act, regardless of their vaccination status:

20 *Provided, further,* That any benefits or exemptions shall be reinstated once a negative
21 RT-PCR test for COVID-19 has been recorded in their vaccine passport.

22 Individuals partially or fully vaccinated against COVID-19, as indicated in the
23 Vaccine Passport, shall not be considered immune from COVID-19, unless otherwise
24 declared by the DOH based on reliable scientific evidence and consensus.

25 *Sec. 5. Non-Discrimination Against Persons Who Cannot Be Vaccinated.* –
26 Nothing in this Act shall be interpreted as to discriminate against:

- 27 a) Persons who are unable to get vaccinated due to unavailability of
28 vaccines;
- 29 b) Persons with valid health conditions that prevent them from being
30 vaccinated; and
- 31 c) Persons who belong to an age group that are unable to be vaccinated
32 and are not included in the COVID-19 vaccination program.

1 *Provided,* That the IATF-EID and LGUs shall continue to implement minimum
2 safety and health protocols to ensure the safety and minimize the risks of the above-
3 enumerated unvaccinated persons and those living and interacting with them out of
4 necessity, and may impose the necessary restrictions to prevent the further spread of
5 COVID-19 and ensure the safety of persons who cannot be vaccinated and those who
6 may be exposed to them.

7 *Sec. 6. Adoption of the Vaccine Passport Program for Other Immunization*
8 *Programs.* – The DOH may adopt the Vaccine Passport Program to document other
9 immunization programs, including but not limited to mandatory basic immunization as
10 provided by Republic Act No. 10152 or the “Mandatory Infants and Children Health
11 Immunization Act of 2011”, subject to guidelines to be issued by the DOH.

12 *Sec. 7. Recognition of Vaccine Passports/Cards/Certificates Issued to Filipinos*
13 *Abroad.* - The Bureau of Quarantine, in coordination with the Department of Foreign
14 Affairs, shall issue guidelines on the recognition of vaccine passports/cards/certificates
15 issued to Filipinos abroad: *Provided,* That the guidelines shall be updated accordingly
16 to always conform with globally accepted standards.

17 *Sec. 8. Acts Punishable.* – The falsification of a vaccine passport shall be
18 punishable under Act No. 3815, otherwise known as “The Revised Penal Code”.

19 *Sec. 9. Implementing Rules and Regulations.* – Within 15 days from the
20 effectivity of this Act, the DOH shall promulgate and issue the necessary guidelines
21 for the effective implementation of this Act. The implementing rules and regulations
22 issued pursuant to this Section shall take effect upon its publication in the Official
23 Gazette or in a newspaper of general circulation.

24 *Sec. 10. Appropriations.* – The amount needed for the initial implementation of
25 this Act shall be charged against available funds for the purpose. Thereafter, such
26 sums as may be necessary for its continued implementation shall be included in the
27 annual General Appropriations Act.

28 *Sec. 11. Separability Clause.* – If any provision of this Act is declared
29 unconstitutional or otherwise invalid, the validity of the other provisions shall not be
30 affected thereby.

1 Sec. 12. *Repealing Clause.* – All other laws, decrees, orders, rules and
2 regulations, other issuances, or parts thereof inconsistent with the provisions of this
3 Act are hereby repealed or modified accordingly.

4 Sec. 13. *Effectivity.* – This Act shall take effect 15 days after its publication in
5 the Official Gazette or in a newspaper of general circulation.

Approved,