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REPUBLIC OF THE PHILIPPINES )  
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SENATE

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S. No. 2378

(In substitution of Senate Bill Nos. 1048, 1202, 1368, 1669, 1869 and P.S. Resolution No. 92)

Prepared jointly by the Committees on Health and Demography, Trade and Commerce, and Youth, Women and Family Relations with Senators Santiago, Villar and P. Cayetano as authors *and Villar*

**“AN ACT  
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9211, OTHERWISE KNOWN  
AS “AN ACT REGULATING THE PACKAGING, USE, SALE, DISTRIBUTION AND  
ADVERTISEMENTS OF TOBACCO PRODUCTS AND FOR OTHER PURPOSES”**

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

1       **SEC. 1.** Section 6 of Republic Act No. 9211 is hereby amended to read as  
2 follows:

3               Sec. 6. *Designated Smoking And Non-Smoking Areas.* - In  
4 all enclosed places that are open to the general public, private  
5 workplaces, and other places not covered under the preceding  
6 section, where smoking may expose a person other than the  
7 smoker to tobacco smoke, the owner, proprietor, possessor,  
8 *manager or administrator of such places shall establish smoking*  
9 *areas. Such areas may include a designated smoking area within*  
10 *the building, which may be in an open space or separate area with*  
11 *proper ventilation, but shall not be located within the same room*  
12 *that has been designated as a non-smoking area, PROVIDED,*  
13 **THAT IN ALL SCHOOL-RELATED ACTIVITIES, WHETHER**  
14 **WITHIN OR OUTSIDE THE SCHOOL PREMISES AND**  
15 **WHETHER HELD INDOORS OR OUTDOORS, SMOKING SHALL**  
16 **BE ABSOLUTELY PROHIBITED.**

17               All designated smoking areas shall have at least one (1)  
18 legible and visible sign posted, namely "SMOKING AREA" for the  
19 Information and guidance of all concerned. In addition, the sign  
20 posted shall include a warning about the health effects of direct or  
21 secondhand exposure to tobacco smoke. Non-smoking areas shall

1 likewise have at least one (1) legible and visible sign, namely:  
2 "SMOKING IS ABSOLUTELY PROHIBITED IN ENCLOSED  
3 AREAS UNDER RA 9211."

4 THESE SMOKING AND NON-SMOKING SIGNAGES  
5 SHOULD BE MADE PART OF THE REQUIREMENTS FOR THE  
6 ISSUANCE AND/OR RENEWAL OF THE BUSINESS PERMITS  
7 AND/OR PERMITS TO OPERATE OF ESTABLISHMENTS,  
8 HEALTH FACILITIES OR SCHOOLS AND THE FAILURE TO  
9 COMPLY THEREWITH IS A GROUND FOR THE DENIAL OR  
10 REVOCATION OF SUCH PERMITS, *PROVIDED*, THAT FOR  
11 SCHOOLS, THESE SIGNAGES SHOULD BE PROMINENTLY  
12 DISPLAYED WHENEVER YOUTH ACTIVITIES ARE BEING  
13 CONDUCTED DECLARING THAT THE AREA IS A SMOKE-FREE  
14 ZONE.

15  
16 **SEC. 2.** Section 29 of Republic Act No. 9211 is hereby amended to read as  
17 follows:

18 "Sec. 29. *Implementing Agency.* - An Inter-Agency Committee-  
19 Tobacco (IAC-Tobacco), which shall have the exclusive power and  
20 function to administer and implement the provisions of this Act, is hereby  
21 created. The IAC-Tobacco shall be chaired by the Secretary of the  
22 Department of HEALTH (DOH) with the Secretary of the Department of  
23 TRADE AND INDUSTRY (DTI) as Vice Chairperson. The IAC-Tobacco  
24 shall have the following members:

- 25  
26 a. Secretary of the Department of Agriculture (DA);  
27 b. Secretary of the Department of Justice (DOJ);  
28 c. Secretary of the Department of Finance (DOF);  
29 d. Secretary of the Department of Environment and Natural  
30 Resources (DENR);  
31 e. Secretary of the Department of Science and Technology  
32 (DOST);  
33 f. Secretary of the Department of Education (DepEd);  
34 g. Administrator of the National Tobacco Administration (NTA);  
35 h. A representative from a non-government organization (NGO)  
36 involved in public health promotion nominated by DOH in  
37 consultation with the concerned NGOs;  
38

1           The Department Secretaries may designate their Undersecretaries as their  
2 authorized representatives to the IAC.

3           **SEC. 3. *Separability Clause.*** - If any part or provision of this Act shall be held  
4 unconstitutional or invalid, other provisions thereof which are not affected thereby shall  
5 continue to be in full force and effect.

6  
7           **SEC. 4. *Repealing Clause.*** - All laws, presidential decrees, executive orders,  
8 rules and regulations or parts thereof which are not consistent with this Act are hereby  
9 repealed, amended or modified accordingly.

10  
11           **SEC. 5. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its  
12 publication in the *Official Gazette* or in at least two (2) newspapers of general  
13 circulation, whichever comes earlier.

14  
15           *Approved,*