

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

8 JUN -4 P5:11

SENATE

COMMITTEE REPORT NO. 70 RECEIVED BY: 

jointly for
Submitted by the Committees on Health and Demography; Trade and Commerce and Youth, Women and Family Relations on JUN 04 2008.

Re: *S. No.* 2378, prepared by the Committees.

Recommending its approval in substitution of S. Nos. 1048, 1202, 1368, 1669, 1869 and P. Senate Resolution No. 92, with Senators Santiago, Villar and Cayetano, P. as authors thereof. *and Villar*

Sponsor: Senator Pia Cayetano

MR. PRESIDENT:

The Committee on Health and Demography, jointly with the Committees on Trade and Commerce and Youth, Women and Family Relations to which were referred the following:

Senate Bill No. 1048, introduced by Senator Santiago entitled:

**“AN ACT
AMENDING REPUBLIC ACT NO. 9211, OR THE TOBACCO REGULATION
ACT OF 2003, SECTION 13, ON WARNINGS ON CIGARETTE PACKAGES”**

Senate Bill No. 1202, introduced by Senator Santiago entitled:

**“A BILL
TO PROTECT CHILDREN FROM EXPOSURE TO ENVIRONMENTAL
TOBACCO SMOKE IN THE PROVISION OF CHILDREN’S SERVICES”**

Senate Bill No. 1368, introduced by Senator Cayetano, P. entitled:

**“AN ACT
TO PROHIBIT SMOKING IN PRIVATE CONVEYANCES WHERE THERE
ARE MINORS, SENIOR CITIZENS AND PREGNANT WOMEN, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 9211, OTHERWISE KNOWN AS
‘TOBACCO REGULATION ACT OF 2003,’ PENALIZING VIOLATIONS
THEREFOR, AND FOR OTHER PURPOSES”**

Senate Bill No. 1669, introduced by Senator Santiago entitled:

**“AN ACT
PROHIBITING MINORS FROM PURCHASING OR POSSESSING TOBACCO
PRODUCTS”**

Senate Bill No. 1869, introduced by Senator Villar entitled:

**“AN
ACT PROHIBITING SMOKING TOBACCO PRODUCTS IN A MOTOR
VEHICLE WHEN A MINOR IS PRESENT AND PROVIDING GRADUATED
PENALTIES THEREFOR”**

and P. Senate Resolution No. 92, introduced by Senator Cayetano, P. entitled:

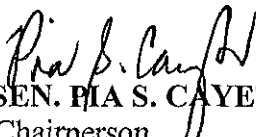
“RESOLUTION DIRECTING THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY TO INQUIRE, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 9211 OR THE TOBACCO REGULATIONS ACT OF 2003”


have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, S.B. No. 2378, prepared by the Committees entitled:


**“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 approved in substitution of S. Nos. 1048, 1202, 1368, 1669^{, 1869} and P. Senate Resolution No. 92, with Senators Santiago and Cayetano, P. as authors. *and Villan et al*

RESPECTFULLY SUBMITTED:



SEN. PIA S. CAYETANO
Chairperson
Committee on Health and Demography


SEN. MAR ROXAS
Chairperson
Committee on Trade and Commerce


SEN. M. A. MADRIGAL
Chairperson
Committee on Youth, Women
& Family Relations

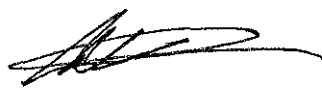
Vice Chairpersons

SEN. EDGARDO J. ANGARA

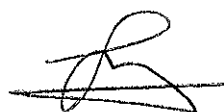

SEN. RODOLFO G. BIAZON

SEN. LOREN B. LEGARDA

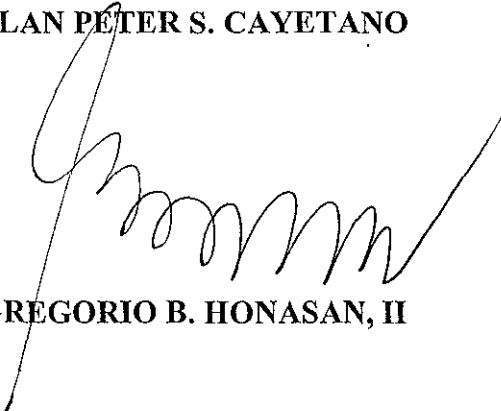
Members:



SEN. ALAN PETER S. CAYETANO



SEN. FRANCIS ESCUDERO



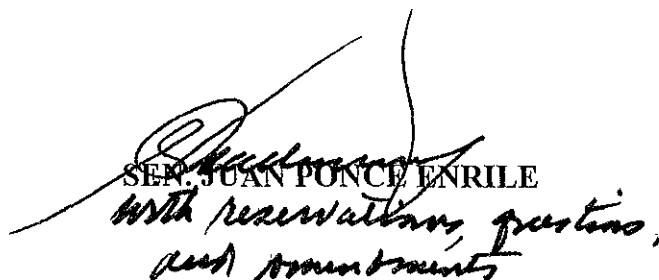
SEN. GREGORIO B. HONASAN, II



SEN. MANUEL M. LAPID



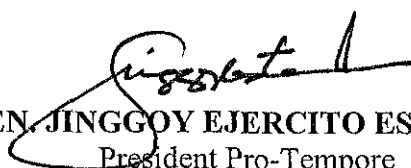
SEN. RAMON REVILLA, JR.



SEN. JUAN PONCE ENRILE
*with reservations, questions,
and amendments*

SEN. RICHARD J. GORDON

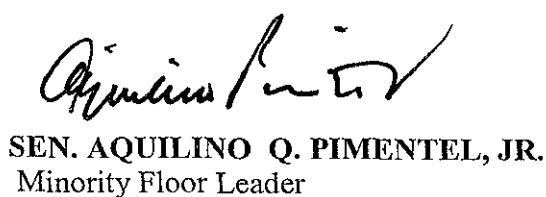
Ex-Officio Members:



SEN. JINGGOY EJERCITO ESTRADA
President Pro-Tempore



SEN. FRANCIS N. PANGILINAN
Majority Floor Leader




SEN. AQUILINO Q. PIMENTEL, JR.
Minority Floor Leader

HON. MANNY VILLAR
Senate President
Senate of the Philippines
Pasay City

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

8 JUN -4 P5:17

SENATE

RECEIVED BY: 

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,*