



SENATE

20 MAY -4 11:38

S.B. No. 1461

RECEIVED

INTRODUCED BY: SENATOR EMMANUEL D. PACQUIAO

AN ACT
ENFORCING MEASURES TO MITIGATE THE SPREAD OF CONTAGIOUS
DISEASES IN THE COMMUNITY AND SELECT PUBLIC ESTABLISHMENTS
AND EVENTS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution directs the State to protect and promote the right to health of the people and instill health consciousness among them. Moreover, Article XIII, Section 11 of the Constitution mandates the State to adopt an integrated and comprehensive approach to health development.

The continuing experience and effects in the Philippines of the worldwide pandemic caused by the 2019 Novel Coronavirus that is known for short as "Covid-19" shows that the respiratory illness can spread in a rapid pace.

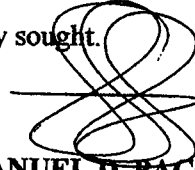
The World Health Organization (WHO), and government health departments and epidemic and new disease research institutions here and abroad, including our Department of Health, the Research Institute for Tropical Medicine, and academic institutions have begun significant studies of the disease.

These centers of health concerns singularly recognize that the virus causing the disease spreads from person-to-person, through discharged body fluids from a carrier infected person. Common vehicles medium of transfer are droplets of saliva or mucus that are discharged when a carrier coughs or sneezes and then are carried in the air for some time and for up to six feet or settle and are maintained for even longer times on various surfaces.

The whole world is now witness to the gravity of an epidemic and of a pandemic. Health and allied health institutions are swamped with cases to treat. Deaths can come in daily substantial numbers. Communities and families can be held hostage within the boundaries of localities and even the small limits of abodes. Businesses can be held to a standstill and will be forced to cope with losses. The economies of nations are seriously endangered. Worst of all, these scenarios can continue until scientists find a cure or vaccine to control the disease and until governments find solutions to the detrimental effects.

Given the urgency and necessity to institute measures to mitigate the spread of viruses and other microbes that cause diseases, this bill seeks to institute health and hygiene measures that can lead to a new normal in communities. This shall not only prevent the spread of contagious diseases, but may even lessen the occurrence of common illnesses.

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

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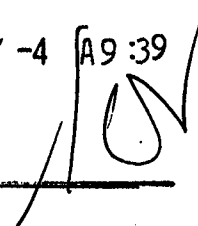
EMMANUEL D. PACQUIAO



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**AN ACT
ENFORCING MEASURES TO MITIGATE THE SPREAD OF CONTAGIOUS
DISEASES IN THE COMMUNITY AND SELECT PUBLIC ESTABLISHMENTS AND
EVENTS AND FOR OTHER PURPOSES**

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 as "Contagion Mitigation Act of 2020."

2 **Section 2. Declaration of Policy.** It is the policy of the State to protect and promote the
3 right to health of the people and instill health consciousness among them. Thus, it shall adopt an
4 integrated and comprehensive approach to health development.

5 The continuing Covid-19 pandemic experience in the Philippines has shown that there is
6 an urgent need for measures to be followed that will define a new normal for the behavior and
7 safe interaction of people, and for the resumption of transactions of businesses and management
8 of events that gather many individuals, in order to continue to mitigate the effects, stem and
9 manage the spread of the Covid-19 disease in the country, and control if not prevent other
10 possible future contagious illnesses from spreading in a manner like the Covid-19 disease.

11 **Section 3. Definition of Terms.** For the purposes of this Act, these terms are defined as
12 follows:

13 a. **Disinfectant or Sanitizing Substance.** It refers to FDA-approved substance that is
14 medically accepted and recognized to effectively disinfect or clean the skin, especially hand
15 surfaces, of individuals.

16 b. **Face Mask.** It is a disposable or washable mask that can be placed on an
17 individual's face sufficient to cover the mouth and nasal passage and prevent the passage into the
18 surrounding air and from the mouth or nose of saliva, mucus or other body fluids.

1 c. *Hair Net*. It is a netting that can be worn by individual's to hold together the top
2 hair and prevent said hair from swinging or moving around while the individual moves about.

3 e. *Public Establishments and Public Events*. This covers establishments and events
4 that gather in a constricted area a minimum of ten (10) persons.

5 f. *Physical distancing*. It involves taking steps to limit the number of people one
6 come into close contact with.

7 g. *Hazardous waste*. It refers to any residues containing properties that are
8 potentially dangerous to human health and the environment, which include but not limited to
9 clinical wastes, infectious substances, discarded cleaning products.

10 **Part I**
11 **Mitigation Measures**

12 **Section 4. Contagion Mitigation in Public Establishments and Public Events** – As long as
13 the Inter-Agency Task Force (IATF) of the Government relevant to the Covid-19 pandemic
14 continues to manage the Covid-19 disease in the country or when said IATF shall declare
15 otherwise, and in the future event of an outbreak of another contagious disease as may be
16 declared by the Government, every establishment or event, whether public or privately owned,
17 administered or organized, that is open to the general public and has the capacity to allow into its
18 premises or into the event at least ten (10) persons at any one time, including but not limited to
19 restaurants and eateries; food halls; hotels, condominiums and inns; malls and groceries, markets
20 and supermarkets; public utility vehicle terminals; concerts, sports events and other performance
21 events or venues; theaters; convention and meeting venues; libraries; government offices and
22 lounges for interface with the public; shall comply with the following:

- 23 (a) An apparatus shall be placed at the entrance to and exit from the premises of the
24 establishment or event, in a number reasonably proportionate to the person-capacity
25 of the establishment or event, and that dispenses a disinfectant or sanitizing substance
26 for the free use of entering and exiting persons.
- 27 (b) As far as practicable, all establishments must provide functional hand hygiene
28 facilities to their customers.
- 29 (c) Liquid hand soap or bar soap and a disinfectant or sanitizing substance shall be
30 maintained in all the comfort room/s of the establishment or event for the hand or
31 face washing of persons free of charge in the establishment or event.
- 32 (d) Poster instructions shall be placed near to the foregoing provisions that shall
33 encourage and instruct the proper use of the foregoing;
- 34 (e) A hair net and face mask shall be provided by the establishment or event free of
35 charge for each of the employees and other workers of the establishment or event that

1 interfaces with the customers or general public, and those that prepare, handle or
2 package food products or other things for sale or distribution to the customers or
3 general public. Disposable gloves shall additionally be provided for those that
4 prepare, handle or package food products.

- 5 (f) At least one (1) comfort room on the ground floor of the establishment for the free
6 use of senior citizens, persons with disabilities, pregnant women, and children.
7 (g) All establishments must conduct daily disinfection and cleaning of their premises in
8 accordance with the standard procedure as determined by the appropriate agency.
9 (h) With the exception of the case of small infants and children of up to ten (10) years
10 old, mandatory physical distancing shall be enforced within the establishment or
11 during the event to maintain spaces of at least one (1) meter between persons. For the
12 same purpose, the capacity limit of persons for the establishment or event shall be
13 posted at its entrance computed from the public area of the establishment or event.
14 (i) Mandatory temperature checks shall be made at the entrance of enclosed areas.
15 (j) Personal information that is minimally sufficient to enable contact tracing shall be
16 taken from individual or groups of customers or patrons to the establishment or event.

17 In addition to the foregoing, the establishments and events are encouraged to develop
18 hand signals for communication between its employees especially in the areas of interface with
19 the customers or general public.

20 **Section 5. Contagion Mitigation in All Schools.** – To help in obtaining a clean
21 environment in all schools and health safety of students, teachers, and staff, the following must
22 be observed in all schools at all levels, whether private or public:

- 23 (a) Promote and demonstrate frequent and proper handwashing and positive hygiene
24 behaviors;
25 (b) Place functional hand hygiene facilities in toilets, classrooms, offices, and at the
26 entrance to and exit from halls, gymnasiums and other areas within the school
27 premises;
28 (c) Posting of signages encouraging good hand and respiratory hygiene practices;
29 (d) Conduct regular disinfection and cleaning of school surfaces;
30 (e) Provide water, sanitation and waste management facilities, following environmental
31 cleaning and decontamination procedures;
32 (f) Increase air flow and ventilation in all buildings;
33 (g) Establish procedures if students or staff become unwell, including coordination with
34 local health authorities and an update of emergency contact lists;
35 (h) Ensure a procedure for separating sick students and staff from those who are well,
36 without creating stigma;
37 (i) Address mental health/psychosocial support needs of the children;

- 1 (j) Plan for continuity of learning in the case of absenteeism/sick leave or temporary
- 2 school closures in support of continued access to quality education;
- 3 (k) Implement targeted health education by integrating disease prevention and control in
- 4 daily activities and lessons;
- 5 (l) Provide adequate protective gears for janitorial personnel.

6 **Section 6. Contagion Mitigation in the Community** – Every barangay shall place a poster
7 within the general public area of its main office that promotes and encourages health and hygiene
8 practices consistent with the pertinent and prevailing technical guidelines of the Department of
9 Health and the World Health Organization.

10 All barangays are encouraged to conduct regular information dissemination within the
11 barangay, and seminars and workshops, to instruct its residents regarding the foregoing technical
12 guidelines.

13 To prevent the amassing of garbage along roads and sidewalks, especially in heavily
14 congested barangays, all barangays are encouraged to install fixed garbage or trash cans along
15 the sidewalks of the barangay, and large bins sufficient in size and number, and properly
16 categorized, to serve the households of the barangay, where bags or disposable containers of
17 trash or garbage may be placed by barangay residents.

18 **Part II**
19 **Restrictions on Individuals in Communities under Quarantine**

20
21 **Section 7. Restrictions on movement.** – As long as the Inter-Agency Task Force of the
22 Government relevant to the Covid-19 pandemic continues to manage the Covid-19 disease in the
23 country or when said IATF shall declare otherwise, and in the future event of an outbreak of
24 another contagious disease as may be declared by the Government, every individual residing in
25 areas declared to be under enforced community quarantine or lockdown by the national
26 government is restricted from leaving his or her place of residence. For the said purposes, an
27 individual may only leave his or place of residence to the extent necessary for any of the
28 following instances:

- 29
- 30 a. To work for or with an government-declared essential service provider;
- 31 b. To procure essential goods or services;
- 32 c. To obtain medical treatment;
- 33 d. To seek or render aid in an emergency situation.
- 34

35 **Section 8. Prohibition on social gatherings.** – As long as the Inter-Agency Task Force of the
36 Government relevant to the Covid-19 pandemic continues to manage the Covid-19 disease in the
37 country or when said IATF shall declare otherwise, and in the future event of an outbreak of

1 another contagious disease as may be declared by the Government, every person is prohibited to
2 meet another individual not living in the same area of his or her residence for any social purpose.
3

4 **Section 9. Proper physical distancing.** – As long as the Inter-Agency Task Force of the
5 Government relevant to the Covid-19 pandemic continues to manage the Covid-19 disease in the
6 country or when said IATF shall declare otherwise, and in the future event of an outbreak of
7 another contagious disease as may be declared by the Government, when a person is allowed to
8 leave his or her place of residence for any of the permitted purposes in Section 10 of this Act,
9 said individual must nevertheless observe the following:
10

- 11 a. Maintain at least one (1) meter distance from anyone;
- 12 b. Avoid physical contact when greeting another person;
- 13 c. Practice good respiratory hygiene such as covering the mouth and nose when coughing or
14 sneezing;
- 15 d. Use a face mask at all times;

16 **Section 10. Prohibited Acts.** – No person or persons shall carelessly, intentionally or
17 indiscriminately spit saliva or expel phlegm, mucous, or other substances from the mouth or
18 from the nose in the city streets, alleys, sidewalks, parks, malls, markets, streets, public carriers,
19 public halls, and buildings, banks, public squares, terminals, shopping and business centers,
20 schools, churches, hospital, and other similar public places or any place to which the public has
21 access.

22 **Part III**

23 **Proper Waste Disposal of Hazardous Waste**

24
25 **Section 11. Proper waste disposal.** – Best practices as determined by the proper agencies for
26 safely managing and disposing protective equipment such as, but not limited to, masks, face
27 shields, gloves, and other health care apparatus must be strictly observed.
28

29 **Part. IV**

30 **Penalties**

31
32 **Section 12. Penalties.** Any person caught violating any provision of Sections 4, 7, 8, 9, and 10 of
33 this Act shall be charged with the corresponding penalties, to wit:
34

- 35 a. First Offense -A fine of five thousand pesos (P5,000.00);
- 36 b. Second Offense - A fine of ten thousand pesos (P10,000.00);
- 37 c. Third Offense - A fine of fifty thousand pesos (P50,000.00).

1 Provided, however, that if the offender is a corporation, association, partnership or any
2 juridical person, the penalty shall be imposed upon the president, directors, managers, managing
3 partners, proprietor, as the case may be, who participated in the commission of the violation or
4 who shall have knowingly permitted or failed to prevent the commission of the same.

5 Provided, further, that an establishment or event found to violate any or all of the
6 measures provided under Section 4 of this Act shall have its permit and operation/s suspended
7 until compliance is made and shown.

8 **Section 13. IRR and Implementation and Monitoring.** – The Department of Health
9 (DOH), in consultation with the Department of Science and Technology (DOST), the
10 Department of Trade and Industry (DTI) and the FDA where appropriate, shall issue the Rules
11 and regulations to Implement this Act within six (6) months.

12 Local government units shall lead in implementing and monitoring the implementation of
13 the provisions of this Act.

14 The DOH, and if necessary in coordination with the DOST and the DTI, shall conduct
15 seminars for the implementation of this Act. The said agencies shall also conduct regular
16 evaluation on the implementation of this Act.

17 **Section 14. Appropriations.** Appropriations needed for the implementation of this Act
18 shall be derived from the Internal Revenue Allotment (IRA) of the LGUs and from sources
19 provided by the Department of Health (DOH) and other government agencies.

20 **Section 15. Repealing Clause.** All laws, decrees, orders, ordinances, rules and regulations
21 or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

22 **Section 16. Separability Clause.** If any provision of this Act is declared unconstitutional
23 or otherwise invalid, the validity of the other provisions shall not be affected thereof.

24 **Section 17. Effectivity.** This shall take effect fifteen (15) days after publication in at least
25 two (2) newspapers of general circulation.

26
27 Approved,