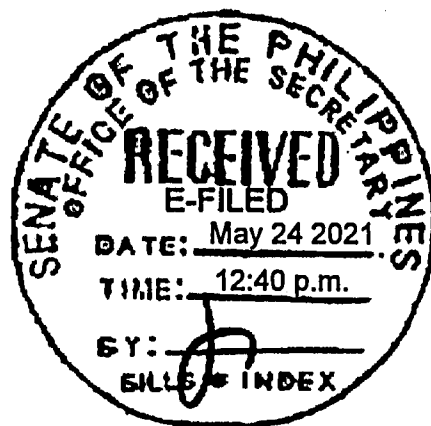


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

Senate Bill No. 2218

Introduced by Senator FRANCIS N. PANGILINAN

AN ACT
FURTHER EXTENDING THE EFFECTIVITY OF THE PROVISIONS AND THE
AVAILABILITY OF APPROPRIATIONS UNDER REPUBLIC ACT NO. 11494,
OTHERWISE KNOWN AS THE "BAYANIHAN TO RECOVER AS ONE ACT"

EXPLANATORY NOTE

According to the Department of Budget and Management's (DBM) COVID-19 Budget Utilization Report as of 15 April 2021, of the total allotment¹ under Republic Act No. 11494 or the *Bayanihan* to Recover as One Act amounting to P259,802,370,027.00, only P132,647,197,699.00 or 51.06% has been obligated. Of the amount obligated, only P93,307,784,521.00 or 70.34% has been disbursed. The rates of obligation and disbursement are alarming considering that the appropriations under the *Bayanihan* II Law will be available until 30 June 2021 only or in less than two months, as provided for under Republic Act No. 11519.

As of 18 May 2021, the total number of confirmed COVID-19 cases has reached 1,159,071 while the reported death toll due to the virus is now at 19,507. The national COVID-19 vaccination program rollout has been slow, with only a total of 7,779,050 doses received as of 18 May 2021. Of the total doses, 99% has been distributed to vaccination sites but only 42% has been administered. The 7-day daily average of vaccinated individuals is low at only 108,540.

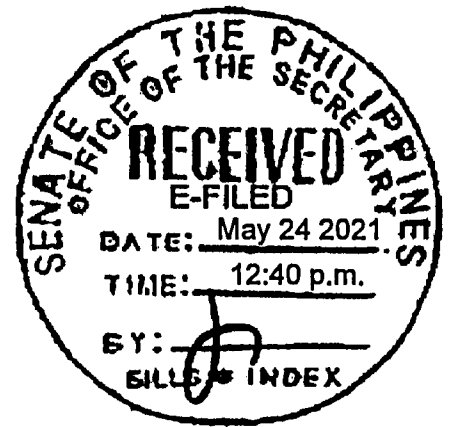
Given the continuous rise in cases and the worsening health and economic conditions of the country, the government must further strengthen and fast-track its response to the COVID-19 pandemic. This proposed measure shall ensure the continuous implementation of programs and measures and give the government more opportunity to carry out its commitments under the *Bayanihan* II Law.

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

FRANCIS N. PANGILINAN

¹ Per DBM, Total Allotment includes funds from the FY 2020 GAA, FY 2019 continuing appropriations, and the Special Appropriations under the *Bayanihan* II Law

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AN ACT

FURTHER EXTENDING THE EFFECTIVITY OF THE PROVISIONS AND THE AVAILABILITY OF APPROPRIATIONS UNDER REPUBLIC ACT NO. 11494, OTHERWISE KNOWN AS THE "BAYANIHAN TO RECOVER AS ONE ACT"

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

1 SECTION 1. *Extension of the Availability of Appropriations.* - Following the
2 extension provided for under Republic Act No. 11519 or An Act Extending the
3 Availability of Appropriations Under Republic Act No. 11494, Otherwise Known as the
4 "*Bayanihan* to Recover as One Act" until 30 June 2021, the appropriations authorized
5 under R.A. 11494 which includes, among others, the automatic appropriations of new
6 programs, projects, and activities pursuant to Section 4 thereof, shall be made available
7 for release, obligation, and disbursement until 31 December 2021: *Provided*, That the
8 appropriations sourced from reprogrammed, reallocated, or realigned savings in
9 Republic Act No. 11465 or the 2020 General Appropriations Act (GAA) for programs and
10 projects for COVID-19 interventions shall be valid for release, obligation, and
11 disbursement in accordance with the provisions of the 2020 GAA: *Provided, further*, That
12 the use of such appropriations shall continue to be governed by the provisions of Section
13 4 of the *Bayanihan* to Recover as One Act. The special and general provisions of the 2020
14 GAA shall be suppletory thereto provided it is not inconsistent with the said provision.

15 The balances of fund transfers between agencies, instrumentalities, and
16 government-owned and -controlled corporations (GOCCs) which, while obligated,

1 remain unused, unutilized, unexpended, and undisbursed as of 31 December 2021 shall
2 revert to the unappropriated surplus of the General Fund.

3 Agency outsourcing requests or agreements by agencies, instrumentalities, and/or
4 GOCCs with Philippine International Trading Corporation (PITC) shall not be allowed.
5 Any balances of fund transfers in the books of the PITC shall revert to the unappropriated
6 surplus of the General Fund upon effectivity of this Act.

7 **SEC. 2. *Expiration of the President's Authority Granted Under Bayanihan to***
8 ***Recover as One Act.*** – The authority of the President to exercise powers granted under
9 the *Bayanihan to Recover as One Act*, including the authority to reprogram, reallocate,
10 and realign from savings on other items in the appropriations of the Executive
11 Department in the 2020 GAA, can only be exercised until 19 December 2020 pursuant to
12 Section 18 thereof.

13 **SEC. 3. *Validity of Allotment.*** – The availability of Advices of Allotments issued by
14 the Department of Budget and Management (DBM) for fund releases charged against
15 Section 10 of the *Bayanihan to Recover as One Act* shall automatically be extended in
16 accordance with Section 1 of this Act.

17 **SEC. 4. *Applicability to Local Government Units (LGUs) and Government***
18 ***Financial Institutions (GFIs).*** – The fund releases to the LGUs and GFIs for programs,
19 projects, and activities enumerated in Section 10 of the *Bayanihan to Recover as One Act*
20 shall be valid for release, obligation, and disbursement until 31 December 2021, except
21 for balances of the fund releases to the LGUs and GFIs sourced from savings in the 2020
22 GAA which shall be governed by the applicable provisions of the 2020 GAA.

23 **SEC. 5. *Allotment Releases from the Standby Fund.*** – Appropriations covered by
24 the standby fund as provided in Section 10 of the *Bayanihan to Recover as One Act* shall
25 be available for release, obligation, and disbursement until 31 December 2021, subject to
26 the fulfillment of the conditionalities stipulated under the same section of the *Bayanihan*
27 to Recover as One Act.

1 **SEC. 6. Reportorial Requirement.** - The President, on every first Monday of the
2 month, shall submit a monthly report to Congress of all acts performed pursuant to this
3 Act during the immediately preceding month, including a report on the targets and actual
4 accomplishments of government programs, strategies, plans, and efforts relative to the
5 COVID-19 pandemic as well as relevant and more granulated health-related data, and
6 such other information which Congress may require.

7 **SEC. 7. Implementing Rules and Regulations.** - Immediately after the effectivity of
8 this Act, the DBM shall, in consultation with implementing agencies concerned,
9 formulate the necessary rules and regulations for the effective implementation of this Act.

10 **SEC. 8. Repealing Clause.** - Any provision of Republic Act No. 11494, otherwise
11 known as the "*Bayanihan* to Recover as One Act" and any other law, decree, executive
12 order, or rules and regulations contrary to or inconsistent with this Act, are hereby
13 repealed or modified accordingly.

14 **SEC. 9. Effectivity.** - This Act shall take effect fifteen (15) days from its publication
15 in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,