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FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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S. No. <u>1368</u>

INTRODUCED BY SENATOR COMPAÑERA PIA S. CAYETANO

EXPLANATORY NOTE

"Smoking is dangerous to your health!"

This is an often-repeated reminder, which appears to have little or no effect at all. Tuberculosis and chronic obstructive pulmonary diseases and allied conditions are the 6th and 7th leading causes of death in the Philippines. Lung cancer is the top leading cancer for both sexes, the 1st males for males and the 3rd for females.

Research has shown that second-hand smoke is worse than first-hand. According to the World Health Organization, "what is less well known is that hundreds of thousands of people who have never smoked die each year from diseases caused by breathing smoke from other people's cigarettes." Second-hand smoke is known to cause severe acute and chronic heart disease, the number one leading cause of death, and is linked to bronchitis, pneumonia and asthma, also top killers. Especially at risk herein are the children, whose immune systems are not yet fully developed and the senior citizens, whose immune systems are deteriorating. In children second-hand smoke is linked to lower respiratory infections, asthma, middle-ear infections and sudden infant death syndrome. Babies of women exposed to second-hand smoke during pregnancy are often born underweight.

Given these hazards, this bill seeks to prohibit smoking in private vehicles where there are children, senior citizens and pregnant women.

For these reasons, approval of this Bill is urgently sought.

COMPANERA PIA S. CAYETANO

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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

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

- **SEC. 1.** A new Section 6 is hereby added to read as follows:
- SEC. 6. SMOKING IN PRIVATE CONVEYANCES. SMOKING SHALL BE ABSOLUTELY PROHIBITED IN THE PRIVATE CONVEYANCES WHERE THERE ARE MINORS, SENIOR CITIZENS AND PREGNANT WOMEN. PRIVATE CONVEYANCE SHALL REFER TO ANY VEHICLE THAT IS NOT CONSIDERED A PUBLIC CONVEYANCE, AS DEFINED IN SECTION 4(M) HEREIN.
 - SEC. 2. Section 32 of RA 9211 is hereby amended to read as follows:
 - Sec. 33 [32]. Penalties The following penalties shall apply:
 - a. Violation of Sections 5, 6 and 7 [6]. -

On the first offense, a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand (Php1,000.00) shall be imposed.

On the second offense, a fine of not less than One Thousand Pesos (Php1,000.00) but not more than Five Thousand Pesos (Php5,000.00) shall be imposed.

On the third offense, in addition to a fine of not less than Five Thousand Pesos (P5,000.00) but not more than Ten Thousand pesos (Php10,000.00), the business permits and licenses to operate shall be cancelled or revoked.

- **SEC. 3.** Separability Clause. If any part or provision of this Act shall be held unconstitutional or invalid, other provisions thereof which are not affected thereby shall continue to be in full force and effect.
- **SEC. 4.** Repealing Clause. All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are not consistent with this Act are herby repealed, amended or modified accordingly.

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

Approved,