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**REPUBLIC OF THE PHILIPPINES )**  
*First Special Session )*

**SENATE**

**S. No. 1418**

(In substitution of S.B. No. 1413)

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PREPARED BY THE COMMITTEE ON FINANCE WITH SENATORS SOTTO, CAYETANO, GATCHALIAN, GO,  
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AS AUTHORS THEREOF

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AN ACT DECLARING THE EXISTENCE OF A NATIONAL EMERGENCY ARISING FROM  
THE CORONAVIRUS DISEASE 2019 (COVID-19) SITUATION AND A NATIONAL  
POLICY IN CONNECTION THEREWITH, AND AUTHORIZING THE PRESIDENT OF  
THE REPUBLIC OF THE PHILIPPINES FOR A LIMITED PERIOD AND SUBJECT TO  
RESTRICTIONS, TO EXERCISE POWERS NECESSARY AND PROPER TO CARRY  
OUT THE DECLARED NATIONAL POLICY 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 and cited as “Bayanihan to  
2 Heal As One Act.”

3 SEC. 2. *State of National Emergency.* – Presidential Proclamation No. 922, s.  
4 2020, was issued declaring a State of Public Health Emergency throughout the  
5 Philippines due to the Coronavirus Disease 2019 (COVID-19) and the Code Alert  
6 System for COVID-19 was raised to Code Red Sublevel Two (2) in accordance with  
7 the recommendation of the Department of Health (DOH) and the Inter-Agency Task  
8 Force for the Management of Emerging Infectious Diseases. Further, Presidential  
9 Proclamation No. 929, s. 2020, was issued declaring a State of Calamity throughout  
10 the Philippines and imposed an Enhanced Community Quarantine throughout Luzon.

1           In view of the continuing rise of confirmed cases of COVID-19, the serious  
2 threat to the health, safety, security, and lives of our countrymen, the long-term  
3 adverse effects on their means of livelihood, and the severe disruption of economic  
4 activities, a state of national emergency is hereby declared over the entire country.

5           SEC. 3. *Declaration of Policy.* – The COVID-19 pandemic has greatly affected  
6 nations worldwide, including the Philippines, and has caused and is continuing to cause  
7 loss of lives and disruption to the economy. Thus, there is an urgent need to: (1)  
8 mitigate, if not contain, the transmission of COVID-19; (2) immediately mobilize  
9 assistance in the provision of basic necessities to families and individuals affected by  
10 the imposition of Community Quarantine, especially indigents and their families; (3)  
11 undertake measures that will prevent the overburdening of the healthcare system; (4)  
12 immediately and amply provide healthcare, including medical tests and treatments, to  
13 COVID-19 patients, persons under investigation (PUIs), or persons under monitoring  
14 (PUMs); (5) undertake a program for recovery and rehabilitation, including a social  
15 amelioration program and provision of safety nets to all affected sectors; (6) ensure  
16 that there is sufficient, adequate and readily available funding to undertake the  
17 foregoing; (7) partner with the private sector and other stakeholders to deliver these  
18 measures and programs quickly and efficiently; and (8) promote and protect the  
19 collective interests of all Filipinos in these challenging times. By reason thereof, and  
20 in order to optimize the efforts of the President to carry out the tasks needed to  
21 implement the aforementioned policy, it is imperative to grant him authority subject  
22 to such limitations as hereinafter provided.

23           SEC. 4. *Authorized Powers.* - Pursuant to Article VI, Section 23 (2) of the  
24 Constitution, the President is hereby authorized to exercise powers that are necessary

1 and proper to carry out the declared national policy. The President shall have the  
2 power to adopt the following temporary emergency measures to respond to crisis  
3 brought by the pandemic:

4 (1) Following World Health Organization guidelines and best practices, adopt  
5 and implement measures to prevent or suppress further transmission and spread of  
6 COVID-19 through effective education, detection, protection, and treatment;

7 (2) Expedite and streamline the accreditation of testing kits and facilitate prompt  
8 testing by public and designated private institutions of PUIs and PUMs, and the  
9 compulsory and immediate isolation and treatment of patients: *Provided*, That the  
10 cost of treatment for COVID-19 patients shall be covered under the National Health  
11 Insurance Program of the Philippine Health Insurance Corporation;

12 (3) Provide an emergency subsidy to around eighteen (18) million low income  
13 households: *Provided*, That the subsidy shall amount to a minimum of Five thousand  
14 pesos (P5,000.00) to a maximum of Eight thousand pesos (P8,000.00) a month for  
15 two (2) months: *Provided, further*, That the subsidy shall be computed based on the  
16 prevailing regional minimum wages rates: *Provided, finally*, that the subsidy received  
17 from the current conditional cash transfer program and rice subsidy shall be taken into  
18 consideration in the computation of the emergency subsidy as provided for in this Act;

19 (4) Ensure that all public health workers are protected by providing them with a  
20 "COVID-19 special risk allowance", in addition to the hazard pay granted under the  
21 Magna Carta of the Public Health Workers or Republic Act No. 7305;

22 (5) Direct the Philippine Health Insurance Corporation (Philhealth) to shoulder all  
23 medical expenses of public and private health workers in case of exposure to COVID-  
24 19 or any work-related injury or disease during the duration of the emergency;

1 (6) Provide compensation of One hundred thousand pesos (P100,000.00) to  
2 public and private health workers who may contract severe COVID-19 infection while  
3 in the line of duty: *Provided, further,* That a compensation of One million pesos  
4 (php1,000,000) shall be given to public and private health workers, who may die while  
5 fighting the COVID-19 pandemic: *Provided, finally,* this shall have retroactive  
6 application from February 1, 2020;

7 (7) Ensure that all Local Government Units (LGUs) are acting within the letter  
8 and spirit of all the rules, regulations and directives issued by the National Government  
9 pursuant to this Act; are implementing standards of community quarantine consistent  
10 with what the National Government has laid down for the subject area, while allowing  
11 LGUs to continue exercising their autonomy in matters undefined by the National  
12 Government or are within the parameters it has set; and are fully cooperating towards  
13 a unified, cohesive and orderly implementation of the national policy to address  
14 COVID-19: *Provided,* That all LGUs shall be authorized to utilize more than five percent  
15 (5%) of the amount allocated for their calamity fund subject to additional funding and  
16 support from the National Government;

17 (8) Consistent with Section 17, Article XII of the constitution, when the public  
18 interest so requires, direct the operation of any privately-owned hospitals and medical  
19 and health facilities including passenger vessels and, other establishments, to house  
20 health workers, serve as quarantine areas, quarantine centers, medical relief and aid  
21 distribution locations, or other temporary medical facilities; and public transportation  
22 to ferry health, emergency, and frontline personnel and other persons; *Provided,*  
23 *however,* That the management and operation of the foregoing enterprises shall be  
24 retained by the owners of the enterprise, who shall render a full accounting to the

1 President or his duly authorized representative of the operations of the utility or  
2 business as basis for appropriate compensation; *Provided*, further, That reasonable  
3 compensation for any additional damage or costs incurred by the owner or the  
4 possessor of the subject property solely on account of complying with the directive  
5 shall be given to the person entitled to the possession of such private properties or  
6 businesses after the situation has stabilized or at the soonest time practicable;  
7 *Provided, finally*, That if the foregoing enterprises unjustifiably refuse or signify that  
8 they are no longer capable of operating their enterprises for the purpose stated herein,  
9 the President may take over their operations subject to the limits and safeguards  
10 enshrined in the Constitution;

11 (9) Continue to enforce measures to protect the people from hoarding,  
12 profiteering, injurious speculations, manipulation of prices, product deceptions, and  
13 cartels, monopolies or other combinations in restraint of trade, or other pernicious  
14 practices affecting the supply, distribution and movement of food, clothing, hygiene  
15 and sanitation products, medicine and medical supplies, fuel, fertilizers, chemicals,  
16 building materials, implements, machinery equipment and spare parts required in  
17 agriculture, industry and other essential services, and other articles of prime  
18 necessity, whether imported or locally produced or manufactured;

19 (10) Ensure that donation, acceptance and distribution of health products  
20 intended to address the COVID-19 public health emergency are not unnecessarily  
21 delayed and that health products for donation duly certified by the regulatory agency  
22 or their accredited third party from countries with established regulation shall  
23 automatically be cleared: *Provided*, this shall not apply to health products which do  
24 not require a certification or clearance from FDA;

1           (11) Undertake the procurement of the following as the need arises, in the  
2 most expeditious manner, as exemptions from the provisions of Republic Act No. 9184  
3 or the "Government Procurement Reform Act" and other relevant laws:

4           (a) Goods, which may include personal protective equipment such as gloves,  
5 gowns, masks, goggles, face shields; surgical equipment and supplies; laboratory  
6 equipment and its reagents; medical equipment and devices; support and  
7 maintenance for laboratory and medical equipment, surgical equipment and supplies;  
8 medical supplies, tools, and consumables such as alcohol, sanitizers, tissue,  
9 thermometers, hand soap, detergent, sodium hydrochloride, cleaning materials,  
10 povidone iodine, common medicines (e.g., paracetamol tablet and suspension,  
11 mefenamic acid, vitamins tablet and suspension, hyoscine tablet and suspension, oral  
12 rehydration solution, and cetirizine tablet and suspension); testing kits, and such other  
13 supplies or equipment as may be determined by the DOH and other relevant  
14 government agencies: *Provided,* That the DOH shall prioritize the allocation and  
15 distribution of the aforesaid goods, supplies and other resources to the following:

16           1. Public health facilities in the regions, provinces, or cities, that are  
17 designated as COVID-19 referral hospitals, such as but not limited to Philippine  
18 General Hospital, Lung Center of the Philippines, and Dr. Jose N. Rodriguez Memorial  
19 Hospital;

20           2. Private hospitals which have existing capacities to provide support care and  
21 treatment to COVID-19 patients; and

22           3. Public and private laboratories that have existing capacities to test suspected  
23 COVID-19 patients.

1 (b) Goods and services for social amelioration measures in favour of affected  
2 communities;

3 (c) Lease of real property or venue for use to house health workers or serve as  
4 quarantine centers, medical relief and aid distribution locations, or temporary medical  
5 facilities;

6 (d) Establishment, construction, and operation of temporary medical facilities;

7 (e) Utilities, telecommunications, and other critical services in relation to  
8 operation of quarantine centers, medical relief and aid distribution centers and  
9 temporary medical facilities; and

10 (f) Ancillary services related to the foregoing.

11 (12) Partner with the Philippine Red Cross, as the primary humanitarian agency  
12 that is auxiliary to the government in giving aid to the people, subject to  
13 reimbursement, in the distribution of goods and services incidental in the fight against  
14 COVID-19;

15 (13) Engage temporary Human Resources for Health (HRH) such as medical  
16 and allied medical staff to complement or supplement the current health workforce or  
17 to man the temporary medical facilities to be established in accordance with Section  
18 4 7(d) of this Act: *Provided*, That HRH to be hired on temporary basis shall receive  
19 the appropriate compensation and allowances: *Provided, further*, That all HRH serving  
20 in the front line during the state of calamity due to COVID-19, shall receive an actual  
21 hazard duty pay from the government;

22 (14) Ensure the availability of credit to the productive sectors of the economy  
23 especially in the countryside through measures such as, but not limited to, lowering  
24 the effective lending rates of interest and reserve requirements of lending institutions;

1           (15) Liberalize the grant of incentives for the manufacture or importation of  
2 critical or needed equipment or supplies for the carrying-out of the policy declared  
3 herein, including healthcare equipment and supplies, *Provided*, That importation of  
4 these equipment and supplies shall be exempt from import duties, taxes and other  
5 fees;

6           (16) Ensure the availability of essential goods, in particular food and medicine,  
7 by adopting measures as may reasonably be necessary to facilitate and/or minimize  
8 disruption to the supply chain, especially for basic commodities and services to the  
9 maximum extent possible;”

10          (16) Require businesses to prioritize and accept contracts, subject to fair and  
11 reasonable terms, for materials and services necessary to promote the herein declared  
12 national policy;

13          (17) Regulate and limit the operation of all sectors of transportation through land,  
14 sea or air, whether private or public;

15          (18) Regulate traffic on all roads, streets, and bridges, and access thereto;  
16 prohibit putting up of encroachments or obstacles; authorize the removal of  
17 encroachments and illegal constructions in public places; and perform all other related  
18 acts;

19          (19) Continue to authorize alternative working arrangements for employees and  
20 workers in the Executive Branch, and whenever it becomes necessary, in other  
21 independent branches of government and constitutional bodies, and the private  
22 sector;



1 (20) Conserve and regulate the distribution and use of power, fuel, energy and  
2 water, and ensure adequate supply of the same;

3 (21) Notwithstanding any law to the contrary, direct the discontinuance of  
4 appropriated programs, projects or activities (P/A/P) of any agency of the Executive  
5 Department, including government-owned or -controlled corporations (GOCC), in the  
6 FYs 2019 and 2020 General Appropriations Act (GAA), whether released or unreleased,  
7 the allotments for which remain unobligated, and utilize the savings generated  
8 therefrom to augment the allocation for any item directly related to support operations  
9 and response measures, which are necessary or beneficial in order to address the  
10 COVID-19 emergency, consistent with the herein declared national policy: *Provided,*  
11 *however,* That the following items in the budget shall be prioritized for augmentation:

12 (a) Under the Department of Health - operational budgets of government  
13 hospitals, primarily those identified for treatment of COVID-19; prevention and control  
14 of other infectious diseases; emergency preparedness and response; quick response  
15 fund;

16 (b) Under the University of the Philippines - the operational budget of the  
17 Philippine General Hospital;

18 (c) The National Disaster Risk Reduction fund or calamity fund;

19 (d) Programs of the Department of Labor and Employment, such as but not  
20 limited to Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers and  
21 COVID-19 Adjustment Measures Program (CAMP);

22 (e) Under the Department of Trade and Industry - Livelihood Seeding Program  
23 and Negosyo Serbisyo sa Barangay;

24 (f) Under the Department of Agriculture - Rice Farmers Financial Assistance

1 Program;

2 (g) under the Department of Education - School-Based Feeding Program

3 (h) Under various Department of Social Welfare and Development programs,  
4 such as but not limited to Assistance to Individuals in Crisis Situations (AICS),  
5 distribution of food and non-food items, livelihood assistance grants, and supplemental  
6 feeding program for day care children;

7 (h) Under allocations to local government units;

8 (i) Quick Response Funds lodged in the various relevant departments, such as,  
9 but not limited to the DOH and DSWD.

10 Notwithstanding the provisions of this Act, the discontinued program, activity or  
11 project may be revived at any time after the national emergency has ceased, and  
12 notwithstanding Section 67 of Republic Act No. 11465 or the "General Appropriations  
13 Act of 2020", may be revived and proposed for funding within the next two (2) fiscal  
14 years;

15 (22) Any unutilized or unreleased balance in a special purpose fund, as of the  
16 date of declaration of a State of Emergency, shall be considered to have their purpose  
17 abandoned for the duration of the State of Emergency. All such unspent, unutilized  
18 or unreleased money or funds sourced from collections or receipts, including future  
19 collections and receipts, shall be utilized and are hereby appropriated for such  
20 measures to address the COVID-19 situation and accomplish the declared national  
21 policy herein;

22 (23) Notwithstanding any law to the contrary, reprogram, reallocate, and realign  
23 from savings on other items of appropriations in the FY 2020 GAA in the Executive  
24 Department, as may be necessary and beneficial to fund measures that address and

1 respond to the COVID-19 emergency, including social amelioration for affected  
2 communities, and the recovery of areas, sectors and industries severely affected. All  
3 amounts so reprogrammed, reallocated or realigned shall be deemed automatically  
4 appropriated for such measures to address the COVID-19 situation within the period  
5 specified under Section 9 hereof;

6 (24) Notwithstanding any law to the contrary, the President is hereby authorized  
7 to allocate cash, funds, investments, including unutilized or unreleased subsidies and  
8 transfers, held by any GOCC or any national government agency in order to address  
9 the COVID-19 emergency, as declared in Section 3 hereof;

10 (25) Move statutory deadlines and timelines for the filing and submission of  
11 any document, the payment of taxes, fees, and other charges required  
12 by law, and the grant of any benefit, in order to ease the burden on  
13 individuals under Community Quarantine;

14 (26) Direct all banks, quasi-banks, financing companies, lending companies,  
15 and other financial institutions, public and private, including the  
16 Government Service Insurance System, Social Security System and Pag-  
17 ibig Fund, to implement a minimum of a thirty (30)-day grace period for  
18 the payment of all loans, including but not limited to salary, personal,  
19 housing, and motor vehicle loans, as well as credit card payments, falling  
20 due within the period of the enhanced community quarantine without  
21 incurring interests, penalties, fees, or other charges. persons with  
22 multiple loans shall likewise be given the minimum thirty (30)-day grace  
23 period for every loan;

1 (27) Provide for a minimum of thirty (30) day grace period on residential rents  
2 falling due within the period of the enhanced community quarantine,  
3 without incurring interests, penalties, fees, and other charges;

4 (28) Implement an expanded and enhanced Pantawid Pamilya Pilipino Program,  
5 responsive to the need posed by the crisis, and provision of an assistance program,  
6 whether in cash or non-cash, whichever is more practicable, where the secretary of  
7 social welfare and development, or the Secretary of Labor and Employment, when  
8 relevant, shall transfer cash, cash voucher, or goods through the local government  
9 units or directly to households who have no incomes or savings to draw from, including  
10 households working in the informal economy and those who are not currently  
11 recipients of the current Pantawid Pamilya Pilipino Program, of an amount adequate  
12 to restore capacity to purchase basic food and other essential items during the  
13 duration of the quarantine. To carry out this subsection, the secretary of the  
14 department of social welfare and development and the secretary of the department  
15 of labor and employment may approve the temporary emergency standards of  
16 eligibility and level of benefits.

17

18 (29) Lift the thirty percent (30%) cap on the amount appropriated for the quick  
19 response fund, as provided for in Republic Act No. 10121 or the "Philippine Disaster  
20 Risk Reduction and Management Act of 2010", during the existence of the state of  
21 national emergency due to COVID-19;"

22 (30) Undertake such other measures as may be reasonable and necessary to  
23 enable the President to carry out the declared national policy subject to the Bill of  
24 Rights and other constitutional guarantees.

1           SEC. 5. *Reports to Congress and Creation of an Oversight Committee.* – The  
2 President, during Monday of every week, shall submit a weekly report to Congress of  
3 all acts performed pursuant to this Act during the immediately preceding week. The  
4 report shall likewise include the amount and corresponding utilization of the funds  
5 used, augmented, reprogrammed, reallocated and realigned pursuant to this Act.

6           For this purpose, the Congress shall establish a Joint Congressional Oversight  
7 Committee composed of four (4) members of each house to be appointed by the  
8 Senate President and the House Speaker, respectively. This Committee shall  
9 determine whether such acts, orders, rules and regulations are within the restrictions  
10 provided herein.

11           SEC. 6. *Penalties.* - In addition to acts or omissions already penalized by  
12 existing laws, the following offenses shall be punishable with imprisonment of two (2)  
13 months or a fine of not less than Ten Thousand Pesos but not more than One Million  
14 Pesos, or both such imprisonment and fine, at the discretion of the court:

15           1) LGU officials disobeying national government policies or directives in  
16 imposing quarantines;

17           2) Owners and possessors of privately-owned hospitals, medical and health  
18 facilities, including passenger vessels, and other establishments who unjustifiably  
19 refuse to operate in accordance with the directive of the president;

20           3) Engaging in hoarding, profiteering, injurious speculations, manipulation of  
21 prices, product deceptions, and cartels, monopolies or other combinations in restraint  
22 of trade, or other pernicious practices affecting the supply, distribution and movement  
23 of food, clothing, hygiene and sanitation products, medicine and medical supplies,

1 fuel, fertilizers, chemicals, building materials, implements, machinery equipment and  
2 spare parts required in agriculture, industry and other essential services, and other  
3 articles of prime necessity, whether imported or locally produced or manufactured;

4 4) Refusal to prioritize and accept contracts for materials and services  
5 necessary to promote the herein declared national policy;

6 5) Refusal to provide 30-day grace periods provided under Section 4;

7 6) Individuals or groups creating, perpetuating, or spreading false information  
8 regarding the covid-19 crisis on social media and other platforms, such information  
9 having no valid or beneficial effect on the population, and are clearly geared to  
10 promote chaos, panic, anarchy, fear, or confusion; and those participating in cyber  
11 incidents that make use or take advantage of the current crisis situation to prey on  
12 the public through scams, phishing, fraudulent emails, or other similar acts;

13 7) Failure to comply with reasonable limitations on the operation of certain  
14 transportation sectors or sectors, whether land, sea or air, and be it private or public;  
15 and

16 8) Impeding access to roads, streets and bridges; putting-up prohibited  
17 encroachments or obstacles; and maintenance of illegal constructions in public places  
18 that have been ordered to be removed;

19 *Provided, however,* That if the offender is a corporation, association,  
20 partnership or any other juridical person, the penalty shall be imposed upon the  
21 president, directors, managers, managing partners, as the case may be, who  
22 participated in the commission of the offense or who shall have knowingly permitted  
23 or failed to prevent the commission of the same. If the offender is an alien, he shall,

1 in addition to the penalties herein prescribed, be deported without further  
2 proceedings; Provided, further, that if the offender is a public official or employee, he  
3 shall, in addition to the penalties prescribed herein, suffer perpetual or temporary  
4 absolute disqualification from office, as the case may be.

5       SEC. 7. *Construction or Interpretation.* - Nothing herein shall be construed as  
6 an impairment, restriction or modification of the provisions of the constitution. in case  
7 the exercise of the powers herein granted conflicts with other statutes, orders, rules  
8 or regulations, the provisions of this act shall prevail.

9       SEC. 8. *Separability.* - If any provision of this Act or the application of such  
10 provision to any person or circumstance is declared invalid, the remainder of this Act  
11 or the application of such provision to any other person or circumstances shall not be  
12 affected by such declaration.

13       SEC. 9. *Effectivity.* - This Act shall take effect immediately upon its publication in  
14 a newspaper of general circulation or in the *Official Gazette* and shall be in full force  
15 and effect only for three (3) months, unless extended by Congress: *Provided,* That the  
16 powers granted under this Act may be withdrawn sooner by means of a concurrent  
17 resolution of Congress or ended by Presidential Proclamation.

Approved,