



REPUBLIC OF THE PHILIPPINES
Province of Eastern Samar
MUNICIPALITY OF GUIUAN

- OFFICE OF THE SANGGUNIANG BAYAN -

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
GUIUAN, EASTERN SAMAR HELD ON April 8, 2020 AT THE MUNICIPAL SESSION HALL.

PRESENT:

HON. VERONICA C. RAMIREZ	Vice-Mayor
	Presiding Officer
HON. FLORIANO G. BAGRO, JR.	SB Member
HON. ROGELIO O. CABLAO	SB Member
HON. ANTONIA R. CABLAO	SB Member
HON. FRANCIS ALDOUS B. SISON	SB Member
HON. CARLITO S. ABRUGAR, JR.	SB Member
HON. JOSE ERIC C. CORDERO	SB Member
HON. MANUEL L. VELASCO	SB Member
HON. PEDRO M. MACABOCSIT	SB Member
HON. JAYSON C. ABRAJANO	SB Member

ABSENT:

HON. MARY CHARMAINE G. VILLAR	SB Member
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Ordinance No. 10, Series of 2020

(Sponsor: Hon. Carlito S. Abrugar, Jr.)

AN ORDINANCE

PROHIBITING ANY PERSON FROM COMMITTING ANY ACT OF DISCRIMINATION AGAINST A PERSON INFECTED, CONFIRMED/PROBABLE/SUSPECT DUE TO COVID-19 VIRUS INCLUDING THE HEALTH WORKERS AND OTHER FRONTLINERS AND IMPOSING THE APPROPRIATE PENALTIES THEREIN.

WHEREAS, under Article III, Section 1 of the 1987 Philippine Constitution provides that "no person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the laws;

WHEREAS, Section 16 of the Local Government Code of 1991 expressly provides that "every government unit shall exercise the powers expressly granted, those necessary implied therefrom, as well as powers necessary, appropriate, incidental for the efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, Proclamation 922, dated March 9, 2020 of President Rodrigo Roa Duterte declaring a State of Public Health Emergency throughout the Philippines mandated all government agencies and local government units to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent and appropriate measures in a timely manner to curtail and eliminate the COVID-19 threat;

WHEREAS, the Department of Health (DOH) recently warned the public on discrimination against person reported to have contracted COVID-19 as well as Probables, and Suspects, including Health Workers and emergency workers who are among those at the frontlines of the battle against COVID-19;

WHEREAS, there are several reports of false and inaccurate social media posts even circulating online spreading names of people allegedly to been infected with COVID-19 and urging the recipients to check of they had contact with those listed as Probables and Suspects;

WHEREAS, there is a need for the Municipality of Guiuan to bring normalcy and order amidst the crisis and protect its constituency from unjust discrimination brought on by the fear and panic of the public;

NOW THEREFORE, on motion of Hon. Carlito S. Abrugar, Jr., duly seconded by Hon. Pedro M. Macabocsit.;

BE IT ORDAINED, By This Sangguniang Bayan in its Regular Session duly assembled that –

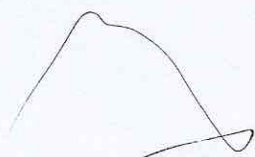
Section 1. **Title.** This Ordinance shall be known as the “**ANTI-COVID-19 DISCRIMINATION ORDINANCE**” of the Municipality of Guiuan, Eastern Samar.

Section 2. Definitions.

- a) Confirmed/Probable/Suspect - are those defined by the protocols and guidelines of the Department of Health (DOH).
- b) Health Workers – are those who deliver care and services to the sick and ailing, either directly or indirectly such as but not limited to doctors, nurses, hospital and clinic aides, midwives, and laboratory technicians.
- c) Frontliners – include officers and members of the PNP, AFP, PCG, IATF, Brgy. Officials, Barangay Tanods, BHERTS and instrumentalities of the Government rendering emergency frontline services, border control and other critical services. Frontliners also include service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production, i.e. public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies and drug stores, food preparation and delivery services, water refilling stations, manufacturing and processing plants of basic food products and medicines, banks, money transfer services, power energy, telecommunications and water supplies and other related facilities.
- d) Discrimination – unjust or prejudicial treatment of different categories of people or things especially on the ground of health condition, race, age or sex and others and including but not limited to any act or utterances which may cause or tend to cause stigma, disgrace, shame, humiliation or harassment.

Section 3. **Prohibited acts.** It shall be unlawful for any person, whether natural or juridical, to commit any act or make utterances which cause or tend to cause stigma, disgrace, shame, humiliation, harassment or otherwise discriminating against a person infected, under investigation, or monitoring due to COVID-19, health worker and frontliner as defined under this Ordinance.

If any public officer refuses or fails to give assistance to a person infected, confirmed/probable/suspect due to COVID-19, health worker and frontliner who intends to return



to his place of residence or domicile, after obtaining clearance of the COVID-19 infection from the proper health officials, he/she shall be equally liable under this section.

Any person who shall publicly claim, post on social media, spread or announce that a person is infected, confirmed/probable/suspect due to COVID-19 whether or not the same has been confirmed or validated from the list given by authorized proper health officials, agency or department, shall also be liable under this section.

If the person violating is a public officer, the penalty imposed shall be in its maximum and can also be a ground for filing of an administrative case against said official.

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Except when the patient concerned waived his/her right to privacy and for purposes of contact tracing and other medical purposes.

Section 4. Implementing agencies. The Philippine National Police (PNP), Liga ng mga Barangay, Barangay Officials, Barangay Tanod shall be responsible for the effective implementation of this Ordinance.

Section 5. Penalties. Any person who violates this ordinance shall be liable to pay the fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment not exceeding six (6) months or both, at the discretion of the court.

If the offender is a public officer, the maximum penalty herein shall be imposed.


If committed by a juridical person, the President, General Manager, Corporate Secretary or person with related interest in the Corporation or Partnership or Association shall be held liable or penalized accordingly.

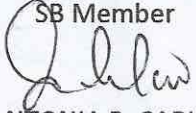
Section 6. Separability Clause. If for any reason, any provision of this ordinance is declared invalid or unconstitutional by the court, other provisions thereof not affected thereby shall continue to be in full force and effect.


Section 7. Repealing Clause. All municipal ordinances or parts thereof inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.

Section 8. Effectivity Clause. This Ordinance shall take effect immediately upon approval.

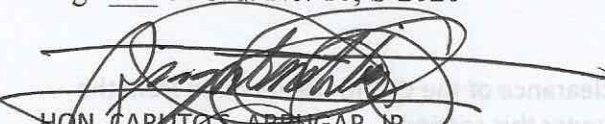
ENACTED AND APPROVED: April 8, 2020, at Guiuan, Eastern Samar.



HON. FLORIANO G. BAGRO, JR.
SB Member


HON. ANTONIA R. CABLAO
SB Member

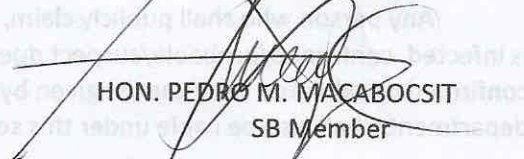

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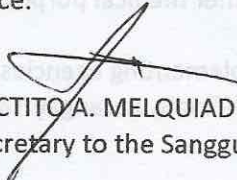
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HON. PEDRO M. MACABOCSIT
SB Member

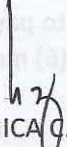
HON. MARY CHARMAINE G. VILLAR
SB Member
President – Liga ng mga Barangay


HON. JAYSON C. ABRAIANO
SB Member
President – SK Federation

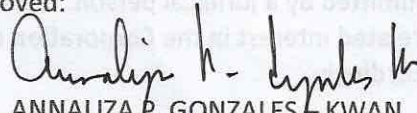
I hereby certify to the correctness of the foregoing Ordinance:


RECTITO A. MELQUIADES
Secretary to the Sangguniang Bayan

Attested by:


HON. VERONICA C. RAMIREZ
Municipal Vice-Mayor & Presiding Officer

Approved:


HON. ANNALIZA P. GONZALES - KWAN
Municipal Mayor

HON. ROGELIO O. CABLAO
SB Member

HON. FLORIAN B. BAYRO, JR.
SB Member

HON. FRANCISCO B. SISON
SB Member

HON. ANTONIO R. CABLAO
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