



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE PROVINCE OF BATAAN ON MAY 6, 2020

**PRESENT:**

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

**FIRST DISTRICT:**

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

**SECOND DISTRICT:**

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

**ABSENT:**

None

**ORDINANCE NO. 05  
Series of 2020**

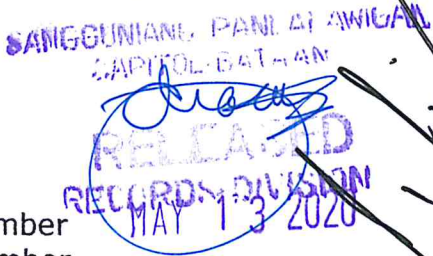
**AN ORDINANCE PROHIBITING ANY PERSON FROM COMMITTING ANY ACT WHICH DISGRACES, SHAMES, HUMILIATES, HARASSES, DISCRIMINATES OR OTHERWISE NEGATIVELY STIGMATIZES A PERSON WITH COVID-19, THOSE UNDER MONITORING OR INVESTIGATION THEREFOR, HEALTH WORKERS AND OTHER FRONTLINERS, AND IMPOSING THE APPROPRIATE PENALTIES THEREFOR.**

**Sponsored by: HON. GODOFREDO B. GALICIA, JR.**

WHEREAS, on March 9, 2020, President Rodrigo Duterte issued Proclamation No. 922, declaring a State of Public Health Emergency Calamity throughout the Philippines due to the Corona Virus Disease 2019 (COVID-19); also the Code Alert System for COVID-19 was raised to Code Red Sub

ALBERT S. GARCIA  
Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**



*Vertical handwritten notes on the left margin:*  
Cristina M. Garcia  
Benjamin C. Serrano, Jr.  
Jomar L. Gaza J.D.  
Reynaldo T. Ibe, Jr.  
Godofredo B. Galicia, Jr.  
Maria Khristine G. Dela Fuente  
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Jose C. Villapando, Sr.  
Romano L. Del Rosario  
Doroteo M. Austria  
Noel Joseph L. Valdecañas  
Precious D. Manuel  
Rosita N. Sison

*Vertical handwritten notes on the right margin:*  
Ma. Cristina M. Garcia  
Benjamin C. Serrano, Jr.  
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Level Two (2) in accordance with the recommendation of the Department of Health (DOH) and the Inter-Agency Task Force (IATF) for Emerging Infectious Diseases; and still further, Presidential Proclamation No. 929, series of 2020 was issued declaring a State of Calamity throughout the Philippines due to COVID-19;

WHEREAS, as of May 5, 2020, there have been 7,639 confirmed cases of the COVID-19 in the Philippines, with thousands of Persons Under Investigation (PUIs) or "Suspect" and Persons Under Monitoring (PUMs) or "Probable";

WHEREAS, in Bataan, as of even date, there are one hundred seven (107) confirmed cases, eighty-one (81) of which are Health Workers;

WHEREAS, since the emergence of COVID-19 we have seen instances of public stigmatization against persons who have contracted the disease including PUIs and PUMs, and the rise of harmful stereotypes, with people being labelled, stereotyped, separated and/or experience loss of status and discrimination because of a potential negative affiliation with the disease;

WHEREAS, stigmatization could drive people to hide the illness to avoid discrimination or prevent people from seeking health care immediately and discourage them from adopting healthy behaviors;

WHEREAS, the Department of Health (DOH) recently warned the public against discrimination against persons reported to have contracted COVID-19 as well as PUIs, PUMs including Health Workers and Frontliners who are among those directly involved in the battle against the rapidly spreading COVID-19; the DOH stated "that with the world confronted with a virus with little information known it is human to be afraid, (b)ut we must not follow hysteria and paranoia to result in irrational treatment of people";

WHEREAS, there have been several reported incidents of people being evicted out of their residences or after having recovered from the illness were prevented from returning back to their residences, while some were even doused with water and were refused services in eateries or transportations over fears of infection; some were shunned by local stores, boarding houses, and even their own barangays and homes;

WHEREAS, several untruthful and inaccurate social media posts even circulated online spreading names and circumstances of people alleged to have been infected with COVID-19, thus causing not only disdain for the named person, but likewise panic and unnecessary worries among those falsely informed;

WHEREAS, considering the gravity of the situation, there is an urgent need to combat this pervasive stigmatization on the basis of one's medical condition or status; to bring normalcy and order amidst the crisis, and protect its constituency from unjust discrimination brought by fear and panic by public;

ALBERT S. GARCIA  
Provincial Governor

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WHEREAS, it is in these trying times that the Provincial Government of Bataan invokes the principle of *parens patriae* by making sure that all shall show compassion, empathy and tolerance towards its affected constituents;

WHEREAS, as this virus can inflict any person regardless of race, age, sex or social standing, thus only through a united front, strengthened by our religious conviction, can we fight and end this pandemic;

WHEREAS, pursuant to Section 11, Article II of the 1987 Constitution embodying the state's policy in embracing the value of human dignity and in guaranteeing full respect for human rights, the Provincial Government of Bataan (PGB) reaffirms its faith in fundamental human rights, in the dignity and worth of the human person, that all human beings are born free and equal in dignity and rights, without distinction;

WHEREAS, Article 19 and 20 of the New Civil Code provides that every person must act with justice, give everyone his due and observe honesty and good faith and every person who, contrary to law, wilfully or negligently causes damage to another, shall be liable to indemnify the other;

WHEREAS, Article 26 of the New Civil Code requires every person to respect the dignity, personality, privacy and peace of every person and that vexing or humiliating another on account of his physical defect or other personal condition, which is COVID-19-related for that matter, shall warrant the filing of an appropriate action in court for damages, prevention and other reliefs;

WHEREAS, pursuant to the Civil Code, every person must honour and respect his contractual obligations such as contracts of lease or employment, especially in this challenging times, whether such person is infected with the COVID-19, PUI, PUM, health care worker, emergency worker and or other front-line worker;

WHEREAS, the General Welfare clause of the Local Government Code of 1991, provides that "(e)very **local government** unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective **governance**, and those which are essential to the promotion of the **general welfare**";

NOW THEREFORE, be it ordained by the Sangguniang Panlalawigan of Bataan, in session assembled, THAT:

SECTION 1. SHORT TITLE. - This Ordinance shall be known as "Anti Covid-19 Discrimination Ordinance of 2020".

SECTION 2. DEFINITIONS. - The following terms shall be defined, for purposes of this Ordinance, as follows:

Infected Persons, Patients Under Investigation (PUIs) (Probable) and Persons Under Monitoring (PUMs) (Suspect) shall have the same definition as provided in the relevant protocols and guidelines issued and as may be issued by the Department of Health.

ALBERT S. GARCIA  
Provincial Governor

R. D. Garcia  
Cebu  
California  
for  
subscribed  
Rabin

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Panel  
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discrimination or humiliation to the specific person or his/her family. There shall be no violation under this paragraph for purposes of contact tracing and other medical purposes where the use of such information is necessary, or when the person waives his/her right to privacy.

SECTION 4. PENALTIES. – Any person in violation of Section 3 hereof shall be fined with Five Thousand Pesos (P5,000.00) or imprisonment not exceeding one year (1) or both fine and imprisonment, at the discretion of the court.

If the person violating is a public officer, the penalty imposed shall be in its maximum, without prejudice to filing of an administrative case against said official.

If committed by a juridical entity, the President, General Manager, Corporate Secretary or person with related interest in the Corporation or Partnership shall be held liable or penalized accordingly. In addition, if the violation is directly in connection with its business operations, the additional penalty of revocation or suspension of business permit of the business establishment may likewise be imposed.


The penalties provided herein are without prejudice to the filing of any other criminal, civil or administrative cases against the violator.

SECTION 5. SEPARABILITY CLAUSE. – If for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

SECTION 6. REPEALING CLAUSE. – All ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided, that the rights already vested under those Ordinances, rules or regulations shall not be impaired.

SECTION 7. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon compliance with the relevant requirements.

APPROVED UNANIMOUSLY.

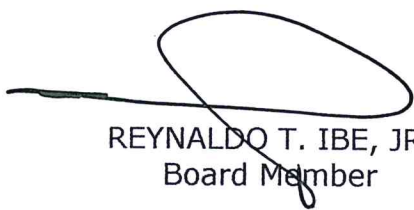
  
SEVERINO P. SALAZAR  
Secretary to the SP

  
BENJAMIN C. SERRANO, JR.  
Board Member

  
JOMAR L. GAZA J.D.  
Board Member

  
ALBERT S. GARCIA  
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REYNALDO T. IBE, JR.  
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Board Member  
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Board Member  
(PCL President)



PRECIOUS D. MANUEL  
Board Member  
(SKF President)



ROSITA N. SISON  
Board Member  
(IPM Representative)

ATTESTED:



MA. CRISTINA M. GARCIA  
Vice Governor  
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA  
Provincial Governor  
Date: \_\_\_\_\_