



SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2020 HELD ON THE 16th DAY OF APRIL 2020 AT THE MONCADA PUBLIC PLAZA

PRESENT:

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFE D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. GEORGE R. CUCHAPIN, MD	.. LnB PRESIDENT
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 01

Series of 2020

AN ORDINANCE PENALIZING ANY PERSON COMMITTING ACTS OF DISCRIMINATION AGAINST POSITIVE, PROBABLE OR SUSPECTED CORONAVIRUS DISEASE-2019 (COVID-19) CASES, INCLUDING HEALTHCARE AND FRONTLINE WORKERS

**Authored by: Coun. Alberto C. Marzan, Jr., MD
Coun. Rodolfo C. Espejo, Jr.**

WHEREAS, the official declaration by the World Health Organization (WHO) of the Coronavirus Disease 2019 (COVID-19) as a pandemic due to the rapid increase of cases of infection across nations has alerted governments worldwide to adopt urgent measures to contain the dreaded disease;

WHEREAS, following the sharp increase in the number of confirmed COVID-19 cases in the country, President Rodrigo Roa Duterte issued Proclamation No. 922 dated March 08, 2020, declaring a State of Public Health Emergency throughout the Philippines and placed the entire Luzon under Enhanced Community Quarantine (ECQ) dated March 16, 2020;

WHEREAS, as of April 13, 2020, there have been four thousand nine hundred thirty-two (4,932) confirmed cases of COVID-19 in the Philippines with three hundred fifteen (315) deaths recorded;



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WHEREAS, since the emergence of COVID-19, there have been instances of public stigma among persons who have acquired the disease, including suspect and probable cases, and frontline health workers, thus, giving rise to harmful stereotypes that could drive people to hide their illness to avoid discrimination that may adversely affect their desire to seek medical treatment;

WHEREAS, considering the serious implications of any act of discrimination, the government, by virtue of its mandate, is morally bound to protect every citizen from the painful experience;

NOW, THEREFORE, on motion by Coun. Alberto C. Marzan, Jr., duly seconded by Coun. Rodolfo C. Espejo, Jr.;

Be it ORDAINED by the Sangguniang Bayan of Moncada in session assembled, that:

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

SEC 2. DEFINITION OF TERMS. – Suspect, Probable and Positive Covid-19 cases are those defined in accordance with the classifications and guidelines of the Department of Health.

1. Discrimination – as used in this Ordinance, is an inappropriate act – physical, verbal or psychological abuse committed against Covid-19 confirmed, probable and suspected cases, including healthcare and frontline workers.
2. Confirmed Covid-19 case – a person who tested positive of the disease from DOH-approved laboratory testing centers.
3. Suspect Covid-19 case – a person with symptoms of the illness but remain untested.
4. Probable Covid-19 case – a person with symptoms of the illness and awaiting official result of the laboratory test.
5. Health workers are those who deliver care and services to the sick and ailing, either directly or indirectly including, among others, doctors, nurses, nursing assistants, midwives, pharmacists, radiologic technologists, medical technologists, respiratory therapists and other allied health workers.
6. Frontliners include officers and members of the PNP, AFP, Barangay Health Emergency Response Teams (BHERTs), Barangay Health Workers (BHWs), Barangay officials and volunteers. 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, drug



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stores, food production, preparation and delivery services, water-refilling stations, manufacturing and processing plants of basic food products and medicines, banks, money transfer services, power, energy, telecommunication and water supplies and other related facilities.

SEC 3. UNLAWFUL ACTS. – It shall be unlawful for any person, whether natural or juridical, to commit any act which may stigmatize, disgrace, shame, humiliate, harass or otherwise discriminate against a person confirmed, probable or suspected to be carriers of the virus. This includes health workers and frontliners as defined under this Ordinance.

Provided, further, that the foregoing unlawful acts, if consummated using social media platforms shall be meted the same penalties as enumerated under Section 4 hereof, without prejudice to the filing of criminal charges against the offender, pursuant to Republic Act 10175 or the "Cybercrime Prevention Act of 2002."

If any public officer refuses or fails to give assistance to a person infected, suspected to be a Covid-19 carrier, whether or not the same has been confirmed or validated from the list given by authorized health officials, agency or department, shall also be held liable under this section. If the person violating is a public officer, the penalty imposed shall be in its maximum and shall be without prejudice to the filing of an administrative case against the said officer even if victim waives his right to prosecute offender.

SEC 4. PENALTIES. – Any person caught in violation of Section 3 hereof shall be fined Two Thousand Five Hundred Pesos (Php 2,500.00) and a corresponding case filed in court.

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

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

SEC 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 laws, ordinances, rules or regulations shall not be impaired.

SEC 7. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon its approval.

ENACTED, this 16th day of April, 2020 at Moncada, Tarlac.



Republic of the Philippines
MUNICIPALITY OF MONCADA
Province of Tarlac

SANGGUNIANG BAYAN

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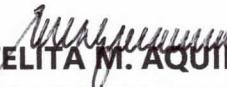
I hereby certify to the correctness of the foregoing Municipal Ordinance which was enacted by the Sangguniang Bayan of Moncada on the above-mentioned date and place.


VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


JAYME O. DUQUE
Vice-Mayor & Presiding Officer

APPROVED BY HER HONOR, THE MAYOR, this 17th day of April, 2020


ESTELITA M. AQUINO
Municipal Mayor