

Office of the President
of the Philippines
Malacañang

MEMORANDUM FROM THE EXECUTIVE SECRETARY

TO : HEADS OF DEPARTMENTS, AGENCIES, OFFICES, AND INSTRUMENTALITIES OF THE GOVERNMENT, GOVERNMENT-OWNED OR -CONTROLLED CORPORATIONS (GOCCs), GOVERNMENT FINANCIAL INSTITUTIONS (GFIs), AND LOCAL GOVERNMENT UNITS (LGUs)

SUBJECT : IMPLEMENTATION OF TEMPORARY EMERGENCY MEASURES UNDER REPUBLIC ACT (RA) NO. 11469, OTHERWISE KNOWN AS THE BAYANIHAN TO HEAL AS ONE ACT

DATE : 28 March 2020

In view of the enactment of RA No. 11469 on 24 March 2020,¹ which granted the President powers and authorities necessary to carry out urgent measures to meet the COVID-19 national health emergency, the government now has greater means to supplement, expand, improve, and intensify existing COVID-19 responses and preventive measures, and to further mitigate the social, economic, and financial impact of COVID-19 on all Filipinos.

To achieve our aim of overcoming this present threat, the simultaneous government efforts on different fronts must be cohesive and harmonious. Thus, the whole of government must work together towards the following objectives: protect and support our health workers and front liners; provide the supplies and equipment necessary for detecting the disease and caring for those infected; ensure that community quarantines are effectively implemented; deliver essential necessities such as food and medicine to the most vulnerable; keep essential and critical utilities and businesses running and their processes uninterrupted; provide temporary economic relief to Filipinos and businesses; and, mobilize all state assets to sustain the operations of the government.

As such, President Rodrigo Roa Duterte hereby authorizes the following officials to do the following acts:

- A. The **Secretary of the Department of Health (DOH)**, to implement the following:

¹ Published on 25 March 2020 in Manila Bulletin.

1. Following World Health Organization guidelines and best practices, adopt and implement measures to prevent or suppress further transmission and spread of COVID-19 through effective education, detection, protection, and treatment. He may consult the Presidential Communications Operations Office, the Department of the Interior and Local Government (DILG), and the Department of Information and Communications Technology as he deems fit to craft the details of or implement the measures;
2. Expedite and streamline the accreditation of testing kits and facilitate prompt testing by public and designated private institutions of PUIs² and PUMs,³ and the compulsory and immediate isolation and treatment of patients;
3. In coordination with the Secretary of the Department of Budget and Management (DBM), ensure that all public health workers are protected by providing them with a “COVID-19 special risk allowance,” in addition to the hazard pay granted under the Magna Carta of Public Health Workers or RA No. 7305;
4. Provide compensation of One Hundred Thousand Pesos (P100,000.00) to public and private health workers who may contract severe COVID-19 infection while in the line of duty, and a compensation of One Million Pesos (P1,000,000) to the families of public and private health workers, who may die while fighting the COVID-19 pandemic. This benefit has a retroactive application from 01 February 2020. In implementing this, he must coordinate with the DBM and may also seek the assistance of the Department of Labor and Employment (DOLE) to verify the qualifications of any beneficiary;
5. In allocating and distributing goods, supplies, and other resources procured under the authority granted in RA No. 11469, he must prioritize the following:
 - i. public health facilities in the regions, provinces, or cities, that are designated as COVID-19 referral hospitals, such as but not limited to the Philippine General Hospital, Lung Center of the Philippines, and Dr. Jose N. Rodriguez Memorial Hospital;
 - ii. private hospitals which have existing capacities to provide support care and treatment to COVID-19 patients; and
 - iii. public and private laboratories that have existing capacities to test suspected COVID-19 patients; and
6. Engage temporary Human Resources for Health (HRH) such as medical and allied medical staff to complement or supplement the current health workforce or to man the temporary medical facilities to be established in accordance with Section 4 k(4) of RA No. 11469. The HRH to be hired on temporary basis shall receive the appropriate compensation and

² Persons under investigation.

³ Persons under monitoring.

allowances and those of them serving at the front lines during the state of calamity due to COVID-19 shall receive an actual hazard duty pay from the government. In crafting the details of and implementing this measure, he shall coordinate with the DBM.

B. The **Secretary of the Department of Social Welfare and Development (DSWD)**, to implement the following:

1. Provide an emergency subsidy to around eighteen (18) million low income households in the amount not lower than Five Thousand Pesos (P5,000.00) or higher than Eight thousand pesos (P8,000.00) a month for two (2) months, computed based on the prevailing regional minimum wage rates. The subsidy received from the current conditional cash transfer program and rice subsidy shall be taken into consideration in the computation of this emergency subsidy. In crafting the details of and implementing the measure, he may consult the DOLE and the DILG; and
2. Implement an expanded and enhanced Pantawid Pamilya Pilipino Program, responsive to the need brought about by the crisis, and provision of an assistance program, whether in cash or non-cash, whichever is more practicable, where he or the DOLE Secretary, when relevant, shall transfer cash, cash voucher, or goods through the local government units or directly to households who have no incomes or savings to draw from, including households working in the informal economy and those who are not currently recipients of the current Pantawid Pamilya Pilipino Program, of an amount adequate to restore capacity to purchase basic food and other essential items during the duration of the quarantine. To carry out this subsection, he may approve the temporary emergency standards of eligibility and level of benefits upon concurrence of the DOLE Secretary.

C. The **Secretary of the DBM**, to implement the following:

1. Notwithstanding any law to the contrary, direct the discontinuance of appropriated programs, projects or activities (P/A/P) of any agency of the Executive Department in the FYs 2019 and 2020 General Appropriations Act (GAA), whether released or unreleased, the allotments for which remain unobligated. In coordination with the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF), the DBM shall use the savings generated from the foregoing to augment the allocation for any item directly related to support operations and response measures, which are necessary or beneficial in order to address the COVID-19 emergency. The discontinued program, activity or project may be revived at any time after the national emergency has ceased, notwithstanding Section 67 of RA No. 11465 or the "General Appropriations Act of 2020". The following items in the budget shall be prioritized for augmentation:
 - i. operational budgets of government hospitals, primarily those identified for treatment of COVID-19; prevention and control of other infectious

- diseases; emergency preparedness and response; quick response fund;
 - ii. operational budget of the Philippine General Hospital;
 - iii. National Disaster Risk Reduction Fund or calamity fund;
 - iv. programs of the DOLE, such as but not limited to Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers and COVID-19 Adjustment Measures Program;
 - v. Livelihood Seeding Program and Negosyo Serbisyo sa Barangay;
 - vi. Rice Farmers Financial Assistance Program;
 - vii. School-Based Feeding Program;
 - viii. various DSWD programs, such as but not limited to Assistance to Individuals in Crisis Situations (AICS), distribution of food and non-food items, livelihood assistance grants, and supplemental feeding program for day care children;
 - ix. allocations to LGUs
 - x. Quick Response Funds lodged in the various relevant departments, such as, but not limited to the DOH and the DSWD;
2. Consider any unutilized or unreleased balance in the special purpose funds of agencies excluding GOCCs, as of the date of declaration of a State of Emergency, as having their purpose abandoned for the duration of the State of Emergency. All such unspent, unutilized or unreleased money or funds sourced from collections or receipts, including future collections and receipts, shall be utilized for such measures to address the COVID-19 situation as may be determined by the IATF, to accomplish the declared national policy under RA No. 11469;
 3. Notwithstanding any law to the contrary, and in coordination with the IATF, reprogram, reallocate, and realign from savings on other items of appropriations in the FY 2020 GAA, of national government agencies in the Executive Department, as may be necessary and beneficial to fund measures that address and respond to the COVID-19 emergency, including social amelioration for affected communities, and the recovery of areas, sectors and industries severely affected;
 4. Notwithstanding any law to the contrary, allocate cash, funds, investments, including unutilized or unreleased subsidies and transfers, held by any national government agency in order to address the COVID-19 emergency, as declared in Section 3 of RA No. 11469;
 5. Craft guidelines for procurement activities that are entirely exempt from RA No. 9184 or the "Government Procurement Reform Act", with clear and simple rules on liquidation, a liberal procedure in determining the price most advantageous to the government considering the urgency of the present situation, and measures to reasonably prevent abuses and corruption but not too restrictive as to delay the process. In crafting the guidelines, he must consult with the Commission on Audit (COA) and may seek advice from the following agencies corresponding to the good or service being procured, to wit:

- i. The DOH with respect to goods, which may include personal protective equipment such as gloves, gowns, masks, goggles, face shields; surgical equipment and supplies; laboratory equipment and its reagents; medical equipment and devices; support and maintenance for laboratory and medical equipment, surgical equipment and supplies; medical supplies, tools, and consumables such as alcohol, sanitizers, tissue, thermometers, hand soap, detergent, sodium hydrochloride, cleaning materials, povidone iodine, common medicines (e.g., paracetamol tablet and suspension, mefenamic acid, vitamins tablet and suspension, hyoscine tablet and suspension, oral rehydration solution, and cetirizine tablet and suspension); testing kits, and such other supplies or equipment as may be determined by the DOH and other relevant government agencies, as well as ancillary services related thereto;
- ii. The DSWD with respect to goods and services for social amelioration measures in favor of affected communities, as well as ancillary services related thereto;
- iii. The DOH, the Office of Civil Defense (OCD), and the DILG with respect to lease of real property or venue for use to house health workers or serve as quarantine centers, medical relief and aid distribution locations, or temporary medical facilities, as well as ancillary services related thereto;
- iv. The DOH and the Department of Public Works and Highways (DPWH) with respect to establishment, construction, and operation of temporary medical facilities;
- v. The DOH and the National Telecommunications Commission with respect to utilities, telecommunications, and other critical services in relation to operation of quarantine centers, medical relief and aid distribution centers and temporary medical facilities, as well as ancillary services related thereto.

D. The **Secretary of the Department of Finance (DOF)**, to implement the following:

1. In partnership with the Bangko Sentral ng Pilipinas (BSP), ensure the availability of credit to the productive sectors of the economy especially in the countryside through measures such as, but not limited to, lowering the effective lending rates of interest and reserve requirements of lending institutions;
2. Consider any unutilized or unreleased balance in the special purpose funds of GOCCs, as of the date of declaration of a State of Emergency, as having their purpose abandoned for the duration of the State of Emergency. All such unspent, unutilized or unreleased money or funds sourced from collections or receipts, including future collections and receipts, shall be utilized for such measures to address the COVID-19 situation as may be determined by the IATF, to accomplish the declared national policy under RA No. 11469;
3. Notwithstanding any law to the contrary, allocate cash, funds, investments, including unutilized or unreleased subsidies and transfers

held by any GOCC, in order to address the COVID-19 emergency, as declared in Section 3 of RA No. 11469;

4. Move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under Community Quarantine;
 5. In partnership with the BSP, direct all banks, quasi-banks, financing companies, lending companies, and other financial institutions, public and private, including the Government Service Insurance System, Social Security System and Pag-ibig Fund, to implement a minimum of a thirty (30)-day grace period for the payment of all loans, including but not limited to salary, personal, housing, and motor vehicle loans, as well as credit card payments, falling due within the period of the enhanced community quarantine, without incurring interests, penalties, fees, or other charges. Persons with multiple loans shall likewise be given the minimum thirty (30)-day grace period for every loan;
 6. Facilitate, in the most expeditious manner possible: (a) the grant of exemption of importation of critical or needed equipment or supplies from import duties, taxes and other fees; and (b) the simplified release of said imported goods. In this regard, he may require the incentive granting bodies of the National Government, in coordination with the DOH, to issue a master list of manufacturers or importers of equipment or supplies which have been granted incentives.
- E. The **Secretary of the Department of Trade and Industry (DTI)**, to do the following actions:
1. Continue to enforce measures to protect the people from hoarding, profiteering, injurious speculations, manipulation of prices, product deceptions, and cartels, monopolies or other combinations in restraint of trade, or other pernicious practices affecting the supply, distribution and movement of food, clothing, hygiene and sanitation products, medicine and medical supplies, fuel, fertilizers, chemicals, building materials, implements, machinery equipment and spare parts required in agriculture, industry and other essential services, and other articles of prime necessity, whether imported or locally produced or manufactured. In crafting the details of this measure, he must coordinate with the Secretary of the Department of Agriculture (DA) and the Secretary of the Department of Energy (DOE) in matters falling within their respective jurisdictions. In implementing these measures, the DTI Secretary must coordinate with the Department of Justice, the DILG, and the Philippine National Police (PNP);
 2. In coordination with the DOF Secretary, liberalize the grant of incentives for the manufacture or importation of critical or needed equipment or supplies for the carrying-out of the policy declared herein, including healthcare equipment and supplies. The importation of these equipment

and supplies shall be exempt from import duties, taxes and other fees; and

3. In coordination with the Secretaries of the DOH and the DA, ensure the availability of essential goods, in particular food and medicine, by adopting measures as may reasonably be necessary to facilitate and/or minimize disruption to the supply chain, especially for basic commodities and services, to the maximum extent possible. The DTI Secretary shall seek the assistance of the DILG and the PNP to implement these measures;
4. Provide for a minimum of thirty (30)-day grace period on residential rents falling due within the period of the enhanced community quarantine, without incurring interests, penalties, fees, and other charges.

F. The **Secretary of the DILG**, to do the following acts:

1. Ensure that all LGUs are acting within the letter and spirit of all the rules, regulations, and directives issued by the National Government pursuant to RA No. 11469; are implementing standards of community quarantine consistent with what the National Government has laid down for the subject area, while allowing LGUs to continue exercising their autonomy in matters undefined by the National Government or are within the parameters it has set; and are fully cooperating towards a unified, cohesive and orderly implementation of the national policy to address COVID-19.

In implementing this measure, the DILG Secretary is strictly required to report to the Office of the President, within three (3) days from receiving notice of the violation, (a) any LGU official who is disobeying the rules, regulations, and directives issued by the National Government, especially the standards of community quarantine set by the IATF for the subject area, (b) the action taken to address the violation, and (3) recommendations on any further action that the President may need to take; and

2. Supervise the LGUs in moving statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under Community Quarantine.

G. The **Secretary of the DOLE**, to do the following acts:

1. Continue to authorize alternative working arrangements in the private sector; and
2. Coordinate with the Secretary of the DSWD in implementing an expanded and enhanced Pantawid Pamilya Pilipino Program.

H. The **Secretary of the DoTr**, in coordination with the IATF, to craft a plan to regulate and limit the operation of all sectors of transportation through land,

sea or air, whether private or public; regulate traffic on all roads, streets, and bridges, and access thereto; prohibit the putting up of encroachments or obstacles; and perform all other related acts.

- I. The **Secretary of the DPWH**, to remove encroachments and illegal constructions in public places and perform all other related acts. In implementing these measures in the National Capital Region, he may seek the assistance of the Metro Manila Development Authority and the concerned LGUs.
- J. The **Secretary of the DOE**, to develop a plan to conserve and regulate the distribution and use of power, fuel, energy, and ensure adequate supply of the same during the period of this national emergency.
- K. The **Board of Directors of the Philippine Health Insurance Corporation (Philhealth)**, to do the following acts:
 1. Cover cost of treatment for COVID-19 patients under the National Health Insurance Program of the Philhealth; and
 2. Shoulder all medical expenses of public and private health workers in case of exposure to COVID-19 or any work-related injury or disease during the duration of the emergency.
- L. The **Administrator of the National Water Resources Board**, in coordination with the Local Water Utilities Administration and Metropolitan Waterworks and Sewerage System, to conserve and regulate the distribution and use of and water, and ensure adequate supply of the same.
- M. The **Administrator of the OCD**, to ensure that donation, acceptance and distribution of health products intended to address the COVID-19 public health emergency are not unnecessarily delayed and that health products for donation duly certified by the regulatory agency or their accredited third party from countries with established regulation shall automatically be cleared. In crafting the details of and implementing this measure, he may coordinate with the Department of Transportation (DOTr), the Department of Foreign Affairs, the DOF, the Bureau of Customs, and the Food and Drug Administration.
- N. The **National Disaster Risk Reduction and Management Council**, to lift the thirty percent (30%) cap on the amount appropriated for the Quick Response Fund, as provided for in Republic Act No. 10121 or the "Philippine Disaster Risk Reduction and Management Act of 2010," during the existence of the state of national emergency due to COVID-19".
- O. **All heads of relevant agencies** are authorized to partner with the Philippine Red Cross, as the primary humanitarian agency that is auxiliary to the government in giving aid to the people, subject to reimbursement, in the distribution of goods and services incidental in the fight against COVID-19.

P. **All LGUs** are now authorized to utilize more than five percent (5%) of the amount allocated for their calamity fund subject to additional funding and support as may be provided by the National Government.

For purposes of implementing the authority of the President to direct the operation of any privately-owned hospitals and medical and health facilities including passenger vessels and, other establishments, to house health workers, serve as quarantine areas, quarantine centers, medical relief and aid distribution locations, or other temporary medical facilities; and public transportation to ferry health, emergency, and frontline personnel and other persons, or take over the operations of the foregoing enterprises, the **DOH**, the **DOTr**, the **Department of Tourism**, and the **OCD** are directed to submit to the Office of the President an inventory of all available or potential assets, and proposed guidelines to exercise such power. Such guidelines must conform with the relevant limits enshrined in Section 17, Article XII of the Constitution.

For purposes of exercising the power to require businesses to prioritize and accept contracts, subject to fair and reasonable terms, for materials and services necessary to promote the declared national policy in RA No. 11469, all relevant agencies and members of the private sector are urged to first negotiate in good faith. Should any contracting party for contracts over such materials or services refuse to give such contract a priority, anyone who has personal knowledge of the contract and the acts of the offending party is enjoined to report the same to the Office of the President to enable the President to exercise the foregoing power.

All departments, agencies, offices, and instrumentalities of the government, GOCCs, GFIs, and LGUs are directed to submit any recommended measure within their respective mandates that may enable the President to more effectively and prudently exercise the temporary authority granted to him under RA No. 11469, with complete details and draft issuance, copy furnished the departments/agencies identified above as may be relevant to the subject measure.

To assist the President in the submission of reports to the Oversight Committee of Congress in compliance with Section 5 of RA No. 11469, all the responsible departments, agencies, offices, and instrumentalities of the government, GOCCs, GFIs, and LGUs are likewise hereby directed to prepare a daily summary of acts performed to implement the foregoing, including the amount and corresponding utilization of the funds used, augmented, reprogrammed, reallocated, and realigned pursuant to RA No. 11469.

The exercise of the foregoing authorities by the departments and agencies concerned shall be without prejudice to the direct exercise thereof by the President at any time, pursuant to his power of control.

For immediate compliance.

By Order of the President:


SALVADOR C. MEDIALDEA
Executive Secretary