



Republic of the Philippines
MUNICIPALITY OF LINGAYEN
Province of Pangasinan



Office of the Sangguniang Bayan

SP SECRETARIAT OFFICE
LINGAYEN, PANGASINAN

MAY 19 2020

RECEIVED
BY: *[Signature]*

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF LINGAYEN, PANGASINAN HELD AT THE SESSION HALL ON MAY 15, 2020.

PRESENT : VICE MAYOR JUDY DL. VARGAS-QUIOCHO – Presiding Officer
SBM Mac Dexter G. Malicdem
SBM Jay Mark Kevin D. Crisostomo
SBM John Silvester A. Tapia
SBM Jonathan Carl R. Arcinue
SBM Ramon Anselmo M. Cuaresma
SBM Sheila V. Castañeda
SBM Randall Q. Bernal
SBM Ricardo R. Ferrer
SBM Gabriel Ivan C. Tuazon – SK President

ABSENT : SBM Darwin B. Jimenez – Liga President

Authored by: SBM RAMON ANSELMO M. CUARESMA

Co-Authored by: SBM JAY MARK KEVIN D. CRISOSTOMO

EXPLANATORY NOTE

WHEREAS, on March 8, 2020 President Rodrigo Roa Duterte declared a state of Public Health Emergency in the Philippines thru Proclamation No. 922 in order to mobilize government and non-government agencies to response to the outbreak of COVID-19; and on March 16, 2020, the President placed the entire island of Luzon under Enhanced Community Quarantine (ECQ) and declared a nationwide state of calamity thru Presidential Proclamation No. 929, S-2020 due to the COVID-19 health crisis;

WHEREAS, as of May 15, 2020, the Department of Health reported a total of 12,091 confirmed COVID-19 cases in the Philippines, with a total of 2,469 recoveries and a total of 806 deaths;

WHEREAS, since the outbreak of COVID-19 there have been reports of instances of public stigmatization and harmful stereotyping among persons who have contracted the disease, PUIs and PUMs, wherein people are being labeled, stereotyped, separated and/or experience loss of status and discrimination because of a potential negative affiliation with the disease;

WHEREAS, there have been reports of people being evicted out of their residences, or after having recovered from the illness were prevented from returning to their residences, while some were doused with water and were refused services in eateries or transportation for fear of infection. Some were shunned by local stores, boarding houses and even in their own barangays and neighborhoods. Inaccurate

social media posts were circulated over the internet spreading names and pictures of people alleged to have been infected with the disease and urging their friends to check if they had been in contact with the alleged persons;

WHEREAS, considering the gravity of the situation, there is an urgent need to combat the stigmatization and bring normalcy and order amidst the crisis by protecting the constituency from unjust discrimination brought on by fear and panic from the public;

WHEREAS, Article III, Section 1 of the 1987 Philippine Constitution provides that every person has the right to life, liberty, security of person and privacy, and the right to be free from discrimination. Furthermore, under Section 11 thereof, the state values the dignity of every person and guarantees full respect for human rights;

WHEREFORE, on motion of SBM Ramon Anselmo M. Cuaresma duly seconded by SBM Jay Mark Kevin D. Crisostomo and SBM John Silvester A. Tapia, respectively, be it:

RESOLVED AS IT IS HEREBY RESOLVED, to enact this corresponding ordinance.

ORDINANCE NO. 81, S-2020

AN ORDINANCE PROHIBITING DISCRIMINATION AGAINST PERSONS INFECTED, UNDER MONITORING OR INVESTIGATION DUE TO THE CORONA VIRUS DISEASE (COVID-19) INCLUDING HEALTH WORKERS AND FRONTLINERS AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

“Be it ordained by the Sangguniang Bayan in session duly assembled that:

Section 1. Short Title. This Ordinance shall be referred to as the “Anti-COVID-19 Discrimination Ordinance of the municipality of Lingayen, Pangasinan”.

Section 2. Definition of Terms. As used in this Ordinance, the following terms are defined as follows:

- a. COVID-19 – shall refer to the Corona Virus Infectious Disease.
- b. Persons Infected / Persons Under Investigation (PUIs) / Persons Under Monitoring (PUMs) – shall refer to those defined by the protocols and guidelines of the Department of Health.
- c. Health workers – shall refer to those who deliver care and services to the sick and ailing, either directly or indirectly. They may include, among others, doctors, nurses, hospital and clinic aides, and laboratory technicians.
- d. Frontliners – shall refer to officers and members of the PNP, AFP, PCG 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.

Section 3. Unlawful 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 or frontliner.

If any public officer to refuse or fail to give assistance to a person infected, under investigation or monitoring due to COVID-19, health worker or frontliner who intends to return to their place of residence or domicile, after obtaining clearance of the COVID-19 infection from the proper health officials, he/she shall be legally liable under this section.

Any person who shall publicly claim, post on social media, spread or announce that a person is infected, is under investigation or monitoring 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 an administrative case against said official EXCEPT when the patient concerned waived his/her right to privacy and for purposes of contact tracing and other medical purposes.

Section 4. Penalties. Any person caught in violation of this Ordinance shall be liable to fine of Two Thousand Five Hundred Pesos (Php2,500.00) 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 5. Separability Clause. If for any reason or reasons, any part or provision of this ordinance is declared unconstitutional, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

Section 6. Repealing Clause. All ordinances, orders, rules and regulations or parts thereof inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 7. Effectivity. This Ordinance shall take effect upon its approval.

UNANIMOUSLY ENACTED. MAY 15, 2020.


ATTESTED:



GINA A. FLORES
OIC - Secretary to the Sanggunian

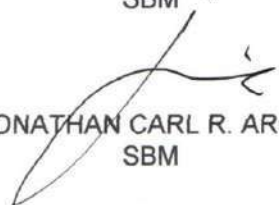
CERTIFIED CORRECT:


JUDY D.L. VARGAS-QUIOCHO
Presiding Officer


MAC DEXTER G. MALICDEM
SBM


JAY MARK KEVIN D. CRISOSTOMO
SBM


JOHN SILVESTER A. TAPIA
SBM


JONATHAN CARL R. ARCINUE
SBM


RAMON ANSELMO M. CUARESMA
SBM


SHEILA V. CASTAÑEDA
SBM


RANDALL Q. BERNAL
SBM


RICARDO R. FERRER
SBM


GABRIEL IVAN C. TUAZON
SK President

APPROVED:


LEOPOLDO N. BATAOIL
Municipal Mayor

OFFICE OF THE MAYOR
LEOPOLDO N. BATAOIL
MAY 19 2020
MARIA
2:30 PM



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen

www.pangasinan.gov.ph

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on June 8, 2020 at Lingayen, Pangasinan, the following resolution was approved:

Sponsored by SP Members Nestor D. Reyes and Von Mark R. Mendoza and co-sponsored by SP Members Sheila Marie S. Perez-Galicia, Jerome Vic O. Espino and Jose G. Peralta, Jr.

RESOLUTION NO. 501-2020

DECLARING ORDINANCE NO. 81, S-2020 OF THE SANGGUNIANG BAYAN OF LINGAYEN, PANGASINAN, ENTITLED "AN ORDINANCE PROHIBITING DISCRIMINATION AGAINST PERSONS INFECTED, UNDER MONITORING OR INVESTIGATION DUE TO THE CORONA VIRUS DISEASE (COVID-19) INCLUDING HEALTH WORKERS AND FRONTLINERS AND IMPOSING PENALTIES FOR VIOLATION THEREOF" AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT

WHEREAS, the Sangguniang Bayan of Lingayen, Pangasinan submitted its Ordinance No. 81, Series of 2020 to the Sangguniang Panlalawigan for review and evaluation pursuant to Section 56 of R.A. No. 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, the Committee on Laws and Ordinances of the Sangguniang Panlalawigan, with the technical assistance of the Provincial Legal Officer, have conducted initial review and study on said ordinance and found out that the same was enacted pursuant to Section 447 (a) (1) (iii) (5) (xii) of RA 7160; and Section 5 of the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases;

WHEREAS, subject ordinance shall take effect after the requirements of posting and publication pursuant to Sections 59 (c) and 511 (a) of RA 7160 are complied with by the Sangguniang Bayan;

WHEREFORE, in view of the foregoing, on motion of SP Members Nestor D. Reyes and Von Mark R. Mendoza and co-sponsored by SP Members Sheila Marie S. Perez-Galicia, Jerome Vic O. Espino and Jose G. Peralta, Jr., duly seconded, it was –



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Resolution No. 501-2020

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RESOLVED, by the Sangguniang Panlalawigan in session assembled, to declare Ordinance No. 81, S-2020 of the Sangguniang Bayan of **Lingayen**, Pangasinan, entitled “An Ordinance prohibiting discrimination against Persons Infected, Under Monitoring or Investigation due to the Corona Virus Disease (COVID-19) including health workers and frontliners and imposing penalties for violation thereof” as within the conferred powers of the Sangguniang Bayan to enact;

RESOLVED FURTHER, that a copy of this resolution be furnished the Office of the Sangguniang Bayan of Lingayen, Pangasinan, for its information and guidance.

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)