



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 182

11TH CITY COUNCIL

Begun and held in the City Council on Monday,
the tenth day of January, Two Thousand Twenty-Two

ORDINANCE NO. 8800

AN ORDINANCE PROVIDING FOR THE ENHANCED VACCINATION MANDATE TO REGULATE THE MOBILITY OF THE UNVACCINATED INDIVIDUALS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF MANILA AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

PRINCIPAL AUTHORS: HON. PRISCILLA MARIE T. ABANTE,
HON. CHARRY R. ORTEGA, HON. ERNESTO C. ISIP, JR., President Pro-
Tempore and HON. JOEL R. CHUA, Majority Floor Leader



PREAMBLE

WHEREAS, Article II, Section 15 of the 1987 Philippine Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that "every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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";

WHEREAS, Article 99 of the Administrative Order No. 270 or the Implementing Rules and Regulations of the Local Government Code of 1991 provides that "the Sangguniang Panglungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Sec. 16 of the Code";

WHEREAS, on September 10 2021, the President Rodrigo Roa Duterte issued Proclamation No. 1218, Series 2021, further extending the period of State of Calamity throughout the country for a period of one (1) year or unless earlier lifted or extended as circumstance may warrant;

WHEREAS, the National Capital Region (NCR) has been placed under Alert Level 3 from January 3 to 15, 2022, in view of the rising active cases of COVID-19 in the Philippines;

WHEREAS, the Department of Health (DOH), the University of the Philippines-Philippine Genome Center (UP-PGC), and the University of the Philippines-National Institute of Health (UP-NIH) bio-surveillance have detected the new SARS CoV-2 variant in the Philippines designated as Variant of Concern and named Omicron, which calls for proactive measures and restrictions;

WHEREAS, according to the Manila Public Information Office, as of January 7, 2022, the City of Manila has fully vaccinated 1,505,400 individuals, which is more than 111% of its target population;

WHEREAS, the City Government of Manila, under the leadership of Mayor Francisco "Isko Moreno" Domagoso, continues to offer COVID-19 vaccinations to the general public through various vaccination sites;

WHEREAS, despite the government's efforts to encourage vaccination, a number of individuals remain unvaccinated, making them more susceptible to the virus and may further spread the infection in their communities;

WHEREAS, as of January 6, 2022, the DOH has observed that 85% of those hospitalized in the National Capital Region due to the COVID-19 virus are unvaccinated, thereby burdening the healthcare system;

WHEREAS, Republic Act No. 11332 or the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act" declares that it is the policy of the State "to protect and promote the right to health of the people and instill health consciousness among them" and that the State "recognizes epidemics and other public health emergencies as threats to public health and national security, which can undermine the social, economic, and political functions of the State.": NOW THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. TITLE. – This Ordinance shall be called “**AN ORDINANCE PROVIDING FOR THE ENHANCED VACCINATION MANDATE TO REGULATE THE MOBILITY OF UNVACCINATED INDIVIDUALS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF MANILA AND PROVIDING PENALTIES FOR VIOLATION THEREOF**”.

SEC. 2. RESTRICTION FOR UNVACCINATED INDIVIDUALS. – Unvaccinated individuals shall:

1. Remain in their residences at all times except for the procurement of essential goods and services such as, but not limited to, food, water, medicine, medical devices, public utilities, and energy, work, and medical and dental necessities; Provided, however, that individual outdoor exercise shall be allowed within the general area of their residence, e.g. within the barangay, purok, subdivision, or village;
2. Be prohibited in indoor and outdoor/al fresco dining in restaurants and other food establishments and shall likewise be prohibited from leisure or social trips to malls, hotels, event venues, sports and country clubs, and similar facilities;
3. Be prohibited in domestic travel via public transportation by land, seas, and air except for the procurement of essential goods and services such as, but not limited to, food, water, medicine, medical devices, public utilities, and energy, work, and medical and dental necessities subject to the production of proof of support and justify such travel; and,
4. Be prohibited from entering government offices, recreational parks, religious establishments, and other similar public areas.
5. Unvaccinated individuals employed in the City of Manila, public or private, shall be required to undergo a Reverse Transcription Polymerase Chain Reaction (RT-PCR) test every two (2) weeks, at their own personal expense or thru any of the free RT PCR testing sites in the City of Manila and present a negative COVID-19 result prior to being admitted to work onsite, consistent with the guidelines, rules, and regulations issued by the IATF and the Department of Labor and Employment; Provided, however, that in the event that the RT PCR test and/or result is/are not immediately available, a Rapid Antigen Test, from a DOH accredited lab or the Manila City Health department may be utilized in lieu thereof. PROVIDED FURTHER, unvaccinated personnel employed by the City of Manila must undergo Rapid Antigen Test every three (3) days and must present a negative antigen test prior to being admitted to work onsite.

The foregoing rules shall also cover individuals who reside outside the City of Manila but who work and/or travel to the same.

Likewise, the foregoing rules shall be implemented in the event of Alert Level 3 or above or its equivalent.

SEC. 3. RESPONSIBILITY OF BARANGANY OFFICIALS AND ESTABLISHMENTS. – It will be the responsibility of every barangay officials to ensure the implementation of this Ordinance.

Likewise, it shall be the responsibility of every establishment mentioned in Sec. 1 hereof to require the presentation of the vaccination ID before allowing entry thereof.

SEC. 4. EXEMPTIONS. – Public markets, groceries, convenience stores, pharmacies selling essential goods and medicines, and are located outside the mall, shall be exempted from this Ordinance, subject to the observance of social distancing and other health protocols.

Persons who are not qualified to get vaccinated shall be exempted from the provisions of this Ordinance provided that they have a duly certified medical certificate issued by a medical doctor proving the same.

SEC. 5. PENALTIES. – Violations of this Ordinance shall meet the following penalties:

FIRST OFFENSE - One Thousand Pesos (PhP. 1,000.00)

SECOND OFFENSE - Two Thousand Pesos (PhP. 2,000.00)

THIRD AND SUBSEQUENT OFFENSES - Five Thousand Pesos (PhP. 5,000.00) or one (1) month imprisonment or both, at the discretion of the court.

Any person violating the provisions of this Ordinance shall likewise be in violation of Republic Act No. 11332, particularly Sections 9(d) and (e) on Prohibited Acts in relation to Section 10 on Penalties.

In addition, any establishments, as mentioned under Section 1, allowing unvaccinated individuals to enter the premises shall be met with a revocation of its business permits.

Further, any barangay official and its agents allowing movement of unvaccinated people outside of their residence for non-essential purposes shall likewise be liable under applicable laws.

Furthermore, any individual or establishment who or which will falsify the COVID-19 vaccine card shall be prosecuted under R.A No. 3815 or the Revised Penal Code, as amended, pursuant to Section 12 of Republic Act No. 11525 or the COVID-19 Vaccination Program Act of 2021.


SEC. 6. REPEALING CLAUSE. – All other ordinances, resolutions, orders, issuances, rules, and regulations which are inconsistent with the provision of this Ordinance are hereby repealed, amended, or modified accordingly.

SEC. 7. SEPARABILITY CLAUSE. – If any part or provision of this Ordinance is held or declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.


SEC. 8. EFFECTIVITY. – This Ordinance shall take effect immediately upon its approval.

This Ordinance was finally enacted by the City Council of Manila on January 10, 2022.

PRESIDED BY:

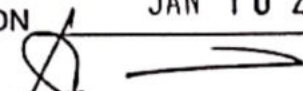

HON. MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:



LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON

JAN 10 2022


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:

for: 
BERNARDITO C. ANG
City Government Department Head III
(Secretary to the Mayor)

RNF: jhb/agv/eys