

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8053



Introduced by HONORABLE SCOTT DAVIES S. LANETE, M.D.

EXPLANATORY NOTE

As stated in the 1987 Philippine Constitution, it is the prime duty of the State to protect and promote the right to health of the people and instill health consciousness among them. It is also its solemn mandate to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Health is and should be the most important concern of every society. It is the primary moving factor which enables every human being to participate in society. Without it, society would be dull and unproductive.

A majority of diseases that commonly cause death are linked to obesity. These are heart diseases, diabetes, stroke, gallbladder ailments, gout and pulmonary diseases. However, it is not common knowledge among the population that these diseases do not develop overnight. More often than not, these are triggered by obesity which can occur at a young age.

In his paper, Dr. Jan Paolo Dipasupil narrated that obesity is a global health crisis. Global obesity rates have doubled since 1980. In fact, there are 603.7 million adults and 107.7 million children who are obese throughout the world in 2015. In the Philippines, it has been documented that 3 out of 10 Filipino adults are obese while 13 percent of Filipino adolescents are overweight and obese.

Pursuant to the State's policy to promote the people's right to health and instill in them health consciousness, it is high time for the State to actively combat obesity in order to decrease the risk on people contracting terrible illnesses. By creating an agency that is dedicated to educating people on obesity awareness, prevention and treatment, more and more people will be able to live a healthier and more meaningful life.

In view of the foregoing, the approval of this bill is earnestly requested.



SCOTT DAVIES S. LANETE, M.D.
Representative
Third District, Province of Masbate

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**AN ACT CREATING THE NATIONAL OBESITY CONTROL SYSTEM,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Sec. 1. *Short Title.* This Act shall be known as "National Obesity Control Agency Act."

Sec. 2. *Declaration of Policy.* It is hereby declared the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.

Sec. 3. *National Obesity Control System.* In accordance with the foregoing declared policy, it is hereby established the National Obesity Control System.

Sec. 4. *Access to the System.* The System shall be available to any person, regardless of age, who has been diagnosed as obese or is at the risk of being obese.

Sec. 5. *Obesity Control.* The System shall be implemented in any setting where patients receive education on obesity prevention, diagnosis and treatment. This includes homes, health units, hospitals, etc.

Sec. 6. *Obesity Control Center.* It is hereby established the Obesity Control Center of the Philippines ("Center").

Sec. 7. *Board of Trustees and Officers.* The Center shall be administered by a Board of Trustees, composed of seven (7) members, six (6) of whom shall be appointed by the President of the Philippines. The Secretary of the Department of Health shall automatically sit as the seventh member. The Director of the Center shall be appointed by the Board of Trustees.

The six appointive members of the Board of Trustees shall serve without compensation for a period of four (4) years and until their successors shall have been appointed and qualified. Any vacancy in the Board shall be filled by appointment by the President of the Philippines, and the appointee shall serve for the unexpired term. The Board of Trustees of the Center shall elect a Chairman from among themselves, who shall be presiding officer of the Board of Trustees.

The Director of the Center shall serve as Vice-Chairman of the Board. The Director shall act as the chief executive officer of the Center, with authority, among others, to appoint, remove, and fix the compensation of the personnel thereof, subject to the approval of the Board of Trustees.

Four (4) members of the Board of Trustees shall constitute a quorum to transact business and any decision of such four members on any matter duly presented to the Board of Trustees shall constitute a valid and binding act of the Center.

Sec. 8. Property of the Center. The Property of the Center shall consist of such real, personal, mixed and other type of property, now owned or reserved for, or may hereafter be given, donated, acquired, transferred or conveyed to, the Center by the Philippine Government, its branches and instrumentalities, by any foreign government, as well as by trust, foundations, corporations, or persons, alien or domestic, in order to carry out its purposes and objectives as set forth herein.

Sec. 9. Purposes and objectives. The purposes and objectives of the Center are:

- (a) To construct, establish, operate and maintain facilities for the prevention, diagnosis and treatment of obese patients;
- (b) To promote, encourage and engage in scientific research on obesity and related conditions, including sponsorship and conduct of relevant congresses, conventions, seminars, and conferences;
- (c) To stimulate and/or underwrite scientific researches on biological, demographic, social, economic eugenic, physiological aspects affecting obese people and their families; and gather, compile, and publish the findings of such researches for public dissemination;
- (d) To facilitate and encourage the dissemination and exchange of ideas and information on the prevention, treatment and control of obesity-related diseases;
- (e) To encourage and/or undertake the training of physicians, nurses, medical technicians, health officers and social workers on the practical and scientific conduct and implementation of obesity control;
- (f) To assist universities, hospitals and research institutions in their studies on obesity, to encourage advanced training on matters of, or affecting obese people, and related fields and to support educational programs of value to general health;
- (g) To encourage the formation of other organizations on the national, provincial, city, municipal or barangay level and to coordinate their various efforts and activities for the purpose of achieving a more effective approach to the common problem relative to the objectives herein enumerated; and
- (h) To extend obesity control and care services to the general public, to help prevent, relieve or alleviate the afflictions and maladies of people specially the poor and less fortunate in life, without regard to race, creed, color or political belief.

Sec. 10. Powers. For the attainment and/or furtherance of the above purposes and objectives, the Center as a body corporate, acting through its Board of Trustees shall have all the powers pertaining to a juridical person, and is therefore authorized, among other things:

- (a) To acquire and hold in any manner property of whatever nature or description, and to dispose of such property under any mode of encumbrance or conveyance;
- (b) To contract and be contracted with;
- (c) To mortgage, lease, sell, transfer convey or otherwise dispose of its properties;

- (d) To solicit and receive donations, endowments and funds in the form of contributions, whether in cash or in kind, from both the public and private sectors;
- (e) To open such accounts in banks and other financial institutions, and to disburse such funds or invest the same as the Board may direct to accomplish or advance the purposes or interest of the Center;
- (f) To invite foreign palliative care specialists and similar experts in the various medical fields not available in the country; to train the personnel or trainees or residents of the Center;
- (g) To send the personnel of the Center to research institutes, medical institutes or universities for advance training or observation and to attend international or regional conventions, conferences, congresses, seminars as the Board may deem necessary to accomplish the purposes and objectives of the Center;
- (h) To adopt a set of by-laws, rules and regulations not inconsistent with law and the provisions hereof to govern the administration and operation of the affairs of the Center; and
- (i) To do all such other acts and things as are or may be necessary or incidental for the accomplishment of the purposes and objectives of the Center.

Sec. 11. *Tax exemptions, etc.* All donations, contributions or endowments which may be made by entities or persons to the Center shall be exempt from income and donor's taxes, and the same shall be further deductible in full for purposes of computing the maximum amount deductible under the National Internal Revenue Code, as amended.

The Center shall be exempt from the payment of all taxes, charges and fees imposed by the Government or any political subdivision or instrumentality thereof.

All income earned by foreign doctors who shall use the facilities of the Center shall be tax exempt.

Sec. 12. *Assistance from government offices.* The Center may call upon any ministry, bureau, office, agency or instrumentality of the Government, including government-owned or controlled corporations, for such assistance as it may need in the pursuit of its purposes and objectives.

All individuals, entities and institutions are hereby enjoined to render full assistance and cooperation to the Center in the accomplishment of its objectives and activities.

Sec. 13. *Government contributions.* The amount of one billion pesos (P1,000,000,000.00) is hereby appropriated as contribution of the National Government for the initial operations and maintenance of the Center. The Center shall be under the Department of Health and the necessary amount to support the continued operation and maintenance of the Center shall be appropriated and released, subject to the approval of the President of the Philippines.

Sec 14. *Implementing Rules and Regulations.* The Department of Health shall have the power to promulgate the implementing rules and regulations as may be necessary to fully implement the objectives and purposes of this Act within one (1) year from the approval hereof.

Sec. 15. *Separability Clause.* – If any part or provision of this Act shall be held unconstitutional or invalid, other provisions, which are not affected thereby, shall continue to be in full force and effect.

Sec. 16. *Repealing Clause.* – All laws, issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved.