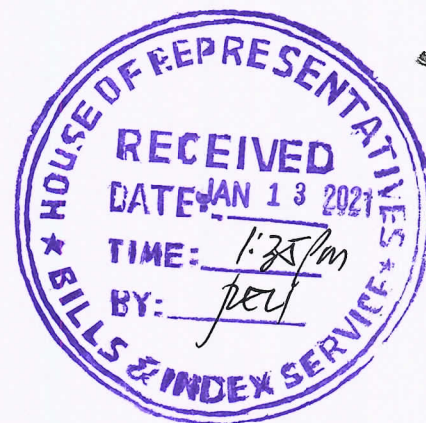


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 8376

Introduced by Deputy Speaker CONRADO M. ESTRELLA III

AN ACT TO ALLOW PRIVATE FIRMS TO PROCURE AND IMPORT, TAX FREE, COVID 19 TESTING PARAPHERNALIA AND VACCINES FOR THE CONDUCT OF COVID 19 TESTING AND VACCINATION PROGRAMS FOR THEIR EMPLOYEES AND FOR OTHER PURPOSES

Explanatory Note

Mass testing and vaccination are strategically important in ensuring the success of initiatives to contain the spread and minimize the dangers to human life and public safety of Covid 19, and to enable the government, in partnership with the private sector, to jumpstart the economy and ensure economic recovery and growth despite the continuing challenges to national development of the Covid 19 pandemic.

The strain on public resources of the cost of procuring sufficient amounts of testing paraphernalia and ancillary supplies, and vaccines is tremendous. This limits the capability of government to procure the desired sufficient number of paraphernalia and vaccines, and to adequately meet the needs of citizens especially the poor.

Thus, the private sector must be encouraged to help ease the burden on government resources of the Covid 19 pandemic. The private sector must be enabled to engage directly and more actively in the conduct of mass testing and vaccination by allowing them to procure the requisite paraphernalia, supplies, and vaccines to conduct their own Covid 19 testing and vaccination programs for the benefit of their own employees.

In so doing, the strain on public resources would be minimized and government would be able to prioritize the use of its scarce resources to benefit

the greater number of our frontliners and of our countrymen who can ill-afford the cost of testing and vaccinations.

By allowing the private sector to procure and import, tax free, for a limited period, testing paraphernalia and vaccines for their own employees, they assume, as they should, the primary responsibility for ensuring the safety of their employees in their workplaces. Safe workplaces boost workers morale to resume normal economic activity. With more workers back to work, the collective push to jumpstart the economy towards recovery and growth despite the pandemic is strengthened.

The conduct of testing and vaccination programs of the private sector will still be subject to the oversight of relevant government agencies such as the DOH. Vaccines will also be procured from medical firms whose products have undergone the required clinical trials and are certified safe for use by the DOH.

The privilege of importing testing paraphernalia and vaccines is limited to a period of three years from the time this bill is approved as a law.

In the service of the public interest and in pursuit of shared aspirations for economic recovery, approval of this bill is imperative.



CONRADO M. ESTRELLA III
Deputy Speaker

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 8376

Introduced by DEPUTY SPEAKER CONRADO M. ESTRELLA III

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

AN ACT TO ALLOW PRIVATE FIRMS TO PROCURE AND IMPORT, TAX FREE, COVID 19 TESTING PARAPHERNALIA AND VACCINES FOR THE CONDUCT OF COVID 19 TESTING AND VACCINATION PROGRAMS FOR THEIR EMPLOYEES AND FOR OTHER PURPOSES

Section 1. Declaration of Policy. – The protection of life, liberty and property, and the promotion of the general welfare is essential to the enjoyment by all the people of the blessings of democracy. The state shall protect and promote the right to health of the people and shall make available essential goods, health and other social services to them at affordable cost. In promoting the general welfare, the State recognizes the indispensable role and encourages the participation of the private sector.

Section 2. Definition of Terms. – the terms herein enumerated shall be understood as follows:

- a. *Covid 19 testing paraphernalia* refer to the implements and supplies used to conduct prescribed tests to determine whether or not an individual is infected with or has contracted the Covid 19 virus.
- b. *Covid 19 Vaccines* refer to vaccines that have undergone all requisite clinical tests and are identified and certified as safe for human use by the World Health Organization and the Department of Health or any of its duly authorized agencies.
- c. *Private firms* refer to corporations, partnerships and other juridical entities in the private sector lawfully authorized to engage in trade, business, commerce and other income generating enterprises

including the provision of various services to the public and employing at least fifty (50) persons.

Section 3. *Authority to Procure and Import.* – Private firms, singly or in partnership with others, shall be allowed, for a period of three (3) years after the effectivity of this Act, to procure and import, tax free, Covid 19 testing paraphernalia and vaccines for the sole purpose of conducting testing and vaccination programs for the employees of their respective firms, subject to conditions provided in this Act.

Allowing the use, without justifiable cause, of testing paraphernalia and vaccines procured and imported under this Act by persons other than their employees and officials shall be a ground for the revocation of the permit to procure and import issued to any private firm. In addition to the revocation of the permit to procure and operate, a firm shall also be required to pay all the taxes due on all the importations it has undertaken under this Act.

Section 4. *Permit to Procure and Import.* - Private firms intending to procure and import Covid 19 testing paraphernalia and vaccines shall first secure a permit from the Office of the President. The application for a permit shall include required documentary proof of lawful juridical existence, business or trade engaged in, number of employees to undergo testing and vaccination, and the implementation or operational schedule of their testing and vaccination programs.

The permit will be effective for a period of three (3) years from the time it is issued, but may be revoked anytime for violations of its terms including the failure to comply with mandatory reportorial requirements on, among others, the status of the implementation of their testing and vaccination programs.

Section 5. *Administering Body.* – The Office of the President (OP) shall oversee and manage the implementation of this Act. The Executive Secretary, will serve as Chairman, and the Secretaries of the Department of Finance (DOF), Health (DOH), and Trade and Industry (DTI) or their duly authorized representatives shall serve as members of the management committee for the implementation of this Act.

Section 6. *Oversight.* – The OP, DOH, DOF, DTI shall have oversight powers in the implementation of this Act. Oversight includes the conduct of visitations and inquiries on the status of compliance with provisions of this Act of concerned firms, and the status of their testing and vaccination programs, including verification of identities and number of beneficiaries, among others.

Section 7. *Implementing Rules and Regulations.* – The Executive Secretary, and the Secretaries of the DOF, DOH and DTI shall formulate and issue the implementing rules and regulations of this Act within thirty (30) days from its enactment into law.

Section 8. *Repealing Clause.* – All laws, decrees, rules and regulations or provisions thereof that are contrary to any provision of this Act shall be deemed repealed, altered, modified or their effectivity suspended accordingly.

Section 9. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,