

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 10237



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Amid the COVID-19 pandemic, vaccination remains the most reliable way to control the spread of the virus. However, as vaccination programs roll out, new problems arise such as vaccine hoarding, unauthorized vaccination, and over-vaccination. These practices compromise the proper delivery of health services to the public. Further, they deny the receipt of every Filipino for medical protection from COVID-19. These are considered self-centered acts to the detriment of achieving full protection for all Filipinos. In response, local government units, particularly in Metro Manila, have been urged to issue local executive orders or enact ordinances to penalize unauthorized inoculation.

To strengthen the legal basis of penalizing illegal acts regarding the COVID-19 vaccination, this bill defines and prohibits vaccine hoarding, unauthorized vaccination, and over-vaccination. It is proposed that there shall be penalties of imprisonment for 15 to 60 days and a fine of P100,000 to P500,000.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



MANUEL DG. CABOCHAN III

Representative

Magdalo Para Sa Pilipino Party-List

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AN ACT
DEFINING AND CRIMINALIZING VACCINE HOARDING AND
UNAUTHORIZED VACCINATION IN TIMES OF PUBLIC HEALTH
EMERGENCIES AND PROVIDING PENALTIES THEREFOR

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

1 SECTION 1. *Short Title.*— This Act shall be known as the “*Anti-Vaccine Hoarding*
2 *Act.*”

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4 Sec. 2. *Declaration of Policy.*— The State shall endeavor to efficiently and
5 immediately address all potential and actual public health emergencies for the
6 promotion of the general welfare of the people.

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8 While considering national sovereignty, territorial integrity, national interest
9 and the right to self-determination, in its relations with other states, the State shall,
10 at all times, give paramount importance to the health off its citizens whether in the
11 country or oversea. Towards this end, the State shall ensure that science and

evidence-based plans and preparations shall be observed and that guidelines especially on vaccination programs shall be strictly implemented and complied with.

Sec. 3. *Definition of Terms.* – As used in this Act:

(a) *Immunization* refers to the process by which a person becomes protected against a disease through vaccination. This term is often used interchangeably with vaccination or inoculation.

(b) *Pandemic* refers to an epidemic occurring worldwide, or over every wide area, crossing international boundaries, affecting a large number of people;

(c) *Public Health Emergency* refers to an occurrence or imminent threat of an illness or health condition as specifically defined under Section 3 (I) of Republic Act No. 11332, otherwise as the “Law on Reporting of Communicable Diseases”;

(d) *Vaccine* refers to a product that stimulates a person’s immune system to produce immunity to a specific disease, protecting the person from that disease. Vaccines are usually administered through needle injections, but can also be administered by mouth or sprayed into the nose; and

(e) *Vaccination* refers to the act of introducing a vaccine into the body to produce immunity to a specific disease.

Sec. 4. *Prohibited Acts.*– The following acts are prohibited:

(a) *Vaccine hoarding.* The undue accumulation by a person or combination of persons of vaccines beyond their normal inventory levels as determined by the Department of Health; or the unreasonable limitation of distribution or refusal to dispose of, the stocks of vaccines to the general public; or the unjustified withdrawal of vaccines from the channels of production, trade, commerce and industry; or any other analogous acts as provided by Republic Act No. 7581, otherwise known as the Price Act, that are inimical to the interests of the people during public health emergencies.

(b) *Unauthorized vaccination.* The administration of a vaccine by persons who are not authorized under the guidelines set by the Department of Health

(DOH) and other rules and regulations relevant to the implementation of vaccination programs during public health emergencies.

(c) *Over-vaccination.* Receiving vaccination by any person or group of persons beyond the approved vaccine dosage set by the DOH and other rules and regulations relevant to the implementation of vaccination programs during public health emergencies.

Sec. 5. *Penalties.*— The following penalties shall be imposed upon those who have violated this Act:

(a) Any person or entity who shall violate Section 4 of this Act shall be punished by imprisonment of fifteen (15) days to sixty (60) days or a fine of One Hundred Thousand Pesos (P100,000.00) to Five Hundred Thousand Pesos (P500,000.00), at the discretion of the court; *Provided,* That if the offender is a public official and the offender has taken advantage of his public position, the maximum penalty shall be imposed;

(b) If the offender is a corporation, association, partnership or any other juridical person, the penalty shall be imposed upon the president, directors, managers, managing partners, as the case may be, who participated in the commission of the offense or who shall have knowingly permitted or failed to prevent the commission of the same.

Sec. 6. *Implementing Rules and Regulations.*— Within sixty (60) days from the effectivity of this Act, the Secretary of the Department of Health and other stakeholders shall approve and issue the necessary rules and regulations for the effective implementation of this Act.

Sec. 7. *Separability Clause.*— If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

Sec. 8. *Repealing Clause.*— All other laws, acts, presidential decrees, executive orders, presidential proclamations, issuances, rules and regulations, or parts thereof

1 which are contrary to or inconsistent with any of the provisions of this Act are hereby
2 repealed, amended or modified accordingly.

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

Approved,