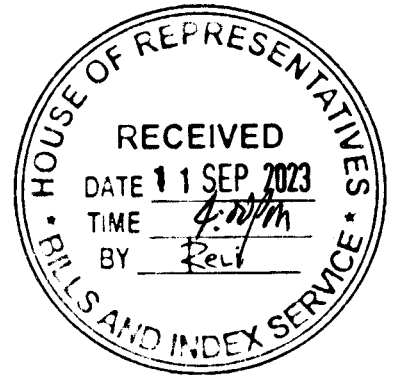




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 9114

**AN ACT STRENGTHENING AND RATIONALIZING THE REGULATORY
CAPACITY OF THE BUREAU OF QUARANTINE (BOQ), RENAMING IT TO
PHILIPPINE QUARANTINE AUTHORITY (PQA), AMENDING CERTAIN
SECTIONS OF REPUBLIC ACT 9271 (RA 9271), AND APPROPRIATING
FUNDS THEREFOR**

**Introduced by AKO BICOL PARTYLIST Representative
Raul Angelo "Jil" D. Bongalon**

EXPLANATORY NOTE

The State is mandated to promote the health and well-being of every Filipino, as enshrined in Article 2, Section 15 of the Philippine Constitution which provide that:

SECTION 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

It has been observed that there is a three to five-year trend in the occurrence of Public Health Emergency of International Concern and Pandemic over a rapidly increasing connectivity among people, trade and modern technology which policies and regulations must adopt.

In its effort to protect the public from threat of health emergency and pandemic, there is a need to strengthen the regulatory power and coverage of the Bureau of Quarantine with due consideration of the rapidly expanding trade and travel in the country.

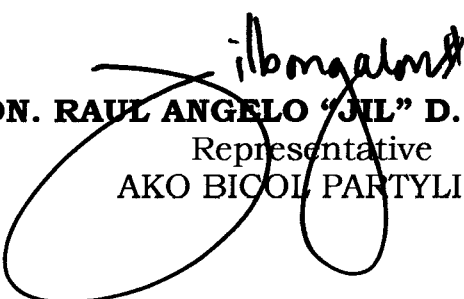
Such regulatory framework must be aligned with the International Health Regulation of the World Health Organization in Integrated Vector Management and for easy prevention, containment and mitigation considering from SARS to COVID 19 all outbreaks are of Zoonotic origin.

Moreover, all hazard approach in detection and prevention of spread of diseases and public health risk to must also be harmonized with the International Health Regulation of the World Health Organization.

On a local scale, a standardize protocol on quarantine, isolation, quarantine lockdown nationwide may be included in the Regulatory mandate of the Bureau in order to manage resources and not to overwhelm hospital by not using hospital facility, and completely containing exposed individual prior to manifestation of signs and symptoms.

In the same light there is a need to harmonize with other existing new laws such as RA 10611, The New Food Safety Law, and nationalize the implementation of Quarantine laws as well particularly during pandemic.

In view of the foregoing and in order to address future health concerns, the passage of this Bill is earnestly sought.



HON. RAUL ANGELO "JIL" D. BONGALON
Representative
AKO BICOL PARTYLIST



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 9114

**AN ACT STRENGTHENING AND RATIONALIZING THE REGULATORY
CAPACITY OF THE BUREAU OF QUARANTINE (BOQ), RENAMING IT TO
PHILIPPINE QUARANTINE AUTHORITY (PQA), AMENDING CERTAIN
SECTIONS OF REPUBLIC ACT 9271 (RA 9271), AND APPROPRIATING
FUNDS THEREFOR**

**Introduced by AKO BICOL PARTYLIST Representative
Raul Angelo "Jil" D. Bongalon**

SECTION 1. Title. - This Act shall be known as the "Philippine Quarantine Authority Act of 2023".

SECTION 2. Change of Name. - The Bureau of Quarantine is hereby renamed as the Philippine Quarantine Authority (PQA).

SECTION 3. Declaration of Policies. – It is the declared policy of the State to improve the delivery of health care services to the people, and to protect the people from public health threats during public health emergencies through the efficient and effective response system for emerging and re-emerging infectious diseases, diseases for elimination and eradication, epidemics, and health events, including chemical, biological, radio-nuclear and environmental agents of public health concern. Pursuant to this policy, the State must enhance the regulatory policy to strengthen its capability with regard to the inspection, surveillance, apprehension, and detention of any public health threats.

SECTION 4. Reinstitution of Military Rank of Commissioned Officers of the PQA. - The Director General shall have the rank of Rear Admiral or higher and all quarantine medical officers, including other allied health officers, under him shall have the ranks of Commodore, Captain, Commander, Lieutenant Commander, Lieutenant (senior grade), Lieutenant (junior grade). Such quarantine officers shall be commissioned by the President, upon the recommendation of the Director General of the PQA with the approval of the Secretary of Health.

SECTION 5. Sections 3 to 5 of Republic Act (RA) No. 9271, known as the Quarantine Act of 2004, are hereby amended to read as follows:

SECTION 5. Jurisdictions of the PQA. - The following are the jurisdictions of the PQA:

- a. The examination at points of entry and exit in the Philippines of incoming and outgoing vessels and aircrafts, the necessary surveillance over their sanitary conditions, as well as over their cargoes, passengers, crews, and all personal effects, and the issuance of quarantine certificates, bills of health, or other equivalent documents;
- b. The examination of inter-island ports of entry and exit in the Philippines of incoming and outgoing vessels and aircrafts, their sanitary conditions, and the necessary surveillance on passengers and crew. In the event of quarantine certificates, bills of threat, examination over their cargoes, all personal effects, the issuance of quarantine certificates, bills of health, or other equivalent documents shall be vested in and be conducted by the PQA;
- c. The PQA shall have jurisdiction over incoming and outgoing vessels and aircrafts, both domestic and foreign, private and government-owned, including those of the armed forces;
- d. Authority over quarantine stations nationwide;
- e. The wharfage, seaport, and airport terminals, including the 400-meter controlled perimeter for vector management program;
- f. Food service establishments, service provider for food and water supplies at seaport and airport terminals and inside perimeter; and

- g. Authority over designated national quarantine facilities for international travelers.

SECTION 6. – Section 2 of RA No. 9271, is hereby amended to read as follows:

SECTION 6. Powers and Functions. – The PQA, with the category of a first-class line agency under the Department of Health, shall have the following powers and functions:

- a. A nationwide scope of functions and international commitment in accord with the International Health Regulations (IHR) of the World Health Organization;
- b. Authority to conduct surveillance, apprehension, and detention of any individuals and goods considered as imminent public health threat;
- c. Authority to uphold preventive care to travelers by formulating policies and guidelines on core components of travel medicine and code of ethical practice of travel medicine in the country;
- d. Authority to establish and maintain quarantine facilities nationwide with international ports;
- e. To grant, within its capabilities and consistent with its mandate, request for assistance of other government agencies in the performance of their functions;
- f. Authority to detain and hold all passengers, vessels, aircrafts, and cargoes found violating quarantine laws of the Philippines; and
- g. To perform such other functions that may be necessary in the attainment of the objectives of this Act.

SECTION 7. The Director General and Other Officers of PQA. – The following are the officers of PQA and their qualifications:

- a. The PQA shall be headed by a Director General, with the rank of Undersecretary, who must be a Doctor of Medicine, preferably with a relevant master's degree in public health. In addition, he or she shall have management experience in his or her field or discipline or profession and in any development, surveillance, or regulatory work as

covered in this Act.

- b. The Director General shall be assisted by two (2) Deputy Director Generals, one for Field Regulatory Operations and another for Administration and Finance.
- c. The Director General and Deputy Director Generals shall be appointed by the President of the Republic of the Philippines from among the flag officers in the PQA.
- d. The Deputy Director General for Field Regulatory Operations of the PQA, with the rank of Assistant Undersecretary, must be a Doctor of Medicine, preferably with a relevant master's degree in public health. In addition, he or she shall have management experience in his or her field or discipline or profession and in any development, surveillance, or regulatory work as covered in this Act.
- e. The Deputy Director General for Administration and Finance of the PQA, with the rank of assistant secretary, shall be a lawyer, certified public accountant or shall possess a master's degree in accounting, management, economics or any business course, and have management experience in a position related to his or her field of discipline or profession.
- f. Each field operation cluster and finance and administrative cluster shall be headed by a Director who shall be assisted by an assistant director. These directors shall be appointed by the President upon the recommendation of Secretary of Health.
- g. The existing Directors and Division Chiefs shall be given preference in the appointment as Deputy Director General, provided that if the current officers of the PQA applying for the above positions lack the required third level civil service eligibility, they will have to comply with the said requirement within three (3) years from the appointment, otherwise their appointment shall be revoked immediately;
- h. The Director General shall control, direct and manage all quarantine stations, grounds, anchorages and designate their boundaries. With the approval of the Secretary of Health, he shall establish such additional quarantine stations, grounds and anchorages. The Director General, in the same manner, may also order the closure of non-functional quarantine stations, grounds and anchorages; and
- i. The Director General has the authority to appoint personnel from

assistant director and below, as deemed necessary.

SECTION 8. Section 7 of RA No. 9271 is hereby amended to read as follows:

SECTION 8. Quarantine Documentary Requirements and Bills of Health. –

- a. All vessels or aircraft from foreign ports arriving at any port of the Philippines shall be required to submit the required maritime declaration of health and general declaration and other documents as prescribed by the regulations;
- b. All ocean-going vessels or international aircraft from foreign seaports or airports calling at any seaport or airport in the Philippines to disembark its passengers or discharge its cargo, or for other purposes must secure a quarantine clearance in compliance with the health regulations. This quarantine certificate or clearance (Pratique) shall be a prerequisite to customs clearance;
- c. After compliance with the quarantine laws and regulations, all vessels or aircraft leaving any seaport or airport of the Philippines shall secure quarantine outgoing clearance. This certificate or clearance shall also be a prerequisite to customs clearance of outgoing vessels and aircraft;
- d. Compliance with the quarantine laws and regulations, all vessels or aircraft entering and leaving any domestic seaport or airport of the Philippines shall secure quarantine documents during outbreak or regional public health emergency;
- e. Compliance with the quarantine laws and regulations of all Filipinos and Non- Filipinos, to secure bills of health during outbreak or national public health emergency for local and international travel; and
- f. Compliance with other documents required by WHO and other international and national regulatory bodies.

SECTION 9. Section 8 of RA No. 9271 is hereby amended to read as follows:

SECTION 9. Penalties. –

a. Penalties for persons violating quarantine laws

- i. Whoever violates or refuses to comply with the provisions of this Act or whoever enters or departs from the limits of any quarantine stations, grounds or anchorages without prior compliance with the quarantine rules and regulations or without permission from the quarantine officer in charge, shall be punished by a fine of not less than Fifty Thousand Pesos (Php50,000.00) but not more than One Hundred Thousand Pesos (Php100,000.00), or by imprisonment of not more than one (1) year, or both, at the discretion of the court.
- ii. If the act or omission penalized by this Act be committed by an association, partnership, corporation or any other institution, its managing head, directors or partners shall be liable to the penalties provided in this Act for the offense.
- iii. Criminal action arising from a violation of the provisions of this Act may be commenced by the PQA either under this Act, or in appropriate cases, under the Revised Penal Code. Provided, that such criminal action may be filed by the PQA in the city or municipality where the PQA Quarantine Station is located if the violation was committed within its territorial jurisdiction or in Metro Manila, at the option of the PQA.

b. Administrative Penalties

- i. The PQA shall, motu proprio or upon a complaint or charge by any individual, corporation, association, or organization, against any person, vessel or aircraft or any of its personnel who violated the provisions of this Act, its Implementing Rules and Regulations, terms and conditions, orders, instructions or rules and regulations of PQA, investigate and verify if such person vessel, aircraft or any of its personnel, is guilty of the charges or complaints.
- ii. Any person who violated or otherwise failed to comply with the terms and conditions, orders, instructions or rules and regulations of the PQA shall be subject to a fine of at least Fifty

Thousand Pesos (Php50,000.00) but not exceeding One Hundred Thousand Pesos (Php100,000.00), and the PQA is hereby authorized and empowered to impose such fine, after due notice and hearing.

- iii. Any vessel or aircraft who violated or otherwise failed to comply with the terms and conditions, orders, instructions or rules and regulations of the PQA shall be subject to a fine of at least Fifty Thousand Pesos (Php50,000.00) but not exceeding One Hundred Thousand Pesos (Php100,000.00), and the PQA is hereby authorized and empowered to impose such fine, after due notice and hearing.
- iv. The fines so imposed shall be paid to the PQA, and failure to pay the fine in any case within the period specified in the order or decision of the PQA shall be deemed good and sufficient reason for withholding the operation of the vessel or aircraft until payment shall be made. Payment may also be enforced by appropriate action brought in a court of competent jurisdiction. The remedy provided in this section shall not be a bar to, or affect any other remedy provided in this Act but shall be cumulative and additional to such remedy or remedies.
- v. Implementation of the orders or decisions of the PQA may also be enforced by mandamus or injunction in appropriate cases, or by action to compel the specific performance of the orders or decisions so made, or of the duties imposed by this Act upon such person, vessel or aircraft.

SECTION 10. Fees and Other Incomes –

- a. Upon the sole approval of the Secretary of Health, the authorization and other fees shall be reviewed by the PQA every three (3) years.
- b. There shall be determined and constituted additional fees such as sale of publications and services, assessment fees, fines, penalties, and other fees and charges outside the usual fees such as but not limited to vaccination, laboratory, quarantine permits; to be known as "other related regulatory fees".
- c. The Director General of the PQA, upon approval of the Secretary of Health, shall be authorized to promulgate rules and regulations governing the collection of the "other related regulatory fees".

SECTION. 11. Section 9 of RA No. 9271 is hereby amended as follows:

SECTION 11. Authority to Utilize Incomes. - All incomes allowed to be retained and deposited in an authorized government depository bank as a special regulatory fund. Any interest earned by such fund shall form part of the retained income. Such fund shall be used primarily to augment the MOOE and Capital Outlay requirements.

SECTION 12. Appropriations. - The amount necessary to establish and operate quarantine facilities and stations shall be included in the annual General Appropriations Act.

SECTION 13. Section 10 of RA No. 9271 is hereby amended to read as follows:

SECTION 13. Implementing Rules and Regulations. - The PQA shall promulgate the implementing rules and regulations of this Act within sixty (60) days after the enactment of this Act.

SECTION. 14. Separability Clause. - In the event any provision of this Act or the application of such provision to any person or circumstances is declared invalid, the remainder of this Act or the application of said provisions to other persons or circumstances shall not be affected by such declaration.

SECTION 15. Repealing Clause. - All acts regarding quarantine rules and regulations not consistent with this Act are hereby repealed.

SECTION 16. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or at least two (2) national newspapers of general circulation.

Approved,