ORDINANCE NO. 2021-262

AN ORDINANCE PENALIZING THE DISHONEST AND UNTRUTHFUL DECLARATION OF ANY PERSON UNDERGOING VACCINATION, AMENDING FOR THIS PURPOSE ORDINANCE NO. 2020-088

WHEREAS, President Rodrigo Roa Duterte issued Presidential Proclamation No. 922 on March 8, 2020 declaring a State of Public Health Emergency throughout the Philippines due to COVID-19, and Presidential Proclamation No. 929 on March 16, 2020 declaring a State of Calamity throughout the Philippines and imposing an Enhanced Community Quarantine in the entire Luzon;

WHEREAS, the LGU of Muntinlupa, through the Sangguniang Panlungsod, responded to the aforecited Proclamations, and enacted on April 13, 2020 Ordinance No. 2020-088 entitled "An Ordinance Penalizing the Dishonesty or Untruthful Declaration of Any Patient in Times of Public Health Emergency or Pandemic, And Imposing the Appropriate Penalties for Violation Thereof";

WHEREAS, Ordinance 2020-088 was passed at the time when the vaccines were not yet available and contemplated a situation where a person untruthfully or dishonestly withheld the state of his/her health status to avoid discrimination and travel restrictions;

WHEREAS, the Emergency Use Authorization (EUA) issued by the World Health Organization (WHO) for the administration of the vaccines against Covid-19 virus, initially distrusted as to its efficacy, coupled with the increasing awareness of their benefits, has allayed the fears of many people;

WHEREAS, on July 30, 2021, the National Government announced the return of Enhanced Community Quarantine in Metro Manila from August 6 to 20, with a period of additional restrictions the week before its implementation to prepare for a possible surge in COVID-19 cases due to the Delta variant;
WHEREAS,
the scare of contracting a more deadly mutation of the COVID-19 virus,
the availability of various vaccine brands, and the aggressive campaign of
the government to administer large number of jabs per population group
were used by some unscrupulous persons to have themselves vaccinated
by more than what is presently allowed by the Department of Health or by
using a different dose from the first thereby distorting the need to equalize
the distribution of the vaccine;
NOW,
BE IT ENACTED, by the Sangguniang Panlungsod duly assembled during
the 110th Regular Session the following:

SECTION 1. Short Title. This ordinance shall be known as the "Dishonest
Declaration in Vaccination".

SECTION 2. Amendments. Section 4 of Ordinance 2020-088 is hereby amended:

SECTION 4. UNLAWFUL ACTS. It shall be unlawful for any such person as
mentioned in the immediately preceding paragraph, who may be a Confirmed
COVID-19 Infected Person, Person Under Investigation (PUI), or Person Under
Monitoring (PUM), or those undergoing vaccination to knowingly and
deliberately lie, commit dishonesty and/or withhold relevant information (such
as but not limited to travel history, experience of symptoms, medical
condition, etc.) during a state of public health emergency as declared
by the National Government or a pandemic as declared by the World
Health Organization.

SECTION 3. Penalties. Any person who committed the unlawful acts herein shall
be liable to pay a fine in the amount of Five Thousand Pesos ($5,000.00) and
be imprisoned for thirty (30) days or at least six (6) months but not
exceeding nine (9) months, or both, in case of inability to pay the fine,
shall be required to render additional thirty (30) days of community service
or subsidiary imprisonment, as the case may be, in case of inability to pay the fine.

SECTION 4. Appeal. Any person who committed the unlawful acts herein shall
be entitled to appeal the fine in the amount of Five Thousand Pesos ($5,000.00) and
be imprisoned for thirty (30) days, or at least six (6) months but not
exceeding nine (9) months, or both, in case of inability to pay the fine,
shall be required to render community service for thirty (30) days of community service
or subsidiary imprisonment, as the case may be, in case of inability to pay the fine.
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SECTION 4. Separability Clause. - If for any reason, any provision of this Ordinance shall be held invalid or unconstitutional, the other provisions hereof which are not affected by the invalidity shall continue to be in full force and effect.

SECTION 5. Effectivity. - This Ordinance shall take effect immediately upon its publication in the official website or official social media account of the City Government of Muntinlupa, or any newspaper of general circulation.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 15th day of August 2021, on its 110 Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. STEPHANIE G. TEVES
Member

COUN. ALEXSON V. DIAZ
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. TING NIEFES
Member

COUN. IVEE RHIA A. TAIDEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(ABSENT)

COUN. MA. DHESSIREE G. AREVALO
Member
I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 24 AUG 2021