HOUSE OF REPRESENTATIVES

H. No. 6953


AN ACT
PROVIDING FOR COVID-19 RESPONSE AND RECOVERY INTERVENTIONS AND PROVIDING MECHANISM TO ACCELERATE THE RECOVERY AND BOLSTER THE RESILIENCE OF THE PHILIPPINE ECONOMY, 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 and cited as “Bayanihan to Recover As One Act”.
SEC. 2. Declaration of Policy. It is hereby declared the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty, particularly in the aftermath of natural and man-made disasters, through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. Towards this end, and in cognizance of the adverse impact of the 2019 Coronavirus Disease (COVID-19) pandemic to the Philippine economy and society, the State shall likewise establish mechanisms to achieve the following objectives:

(a) Reduce the adverse impact of COVID-19 on the socioeconomic well-being of all Filipinos through the provision of assistance, subsidies and other forms of socioeconomic relief;

(b) Consolidate, update, and validate existing records, through the DSWD in coordination with the IATF and the Philippine Statistics Authority including Local Government Units, to come up with a comprehensive, up to date, and unified database to effectively implement the provision of socioeconomic relief intended for all Filipinos by properly identifying the recipients thereof;

(c) Sustain efforts to test, trace, isolate and treat COVID-19 cases to mitigate the transmission of the disease and prevent further loss of lives;

(d) Enhance the capacity of the Philippine health care system to eliminate, prevent and control disease outbreaks and pandemics and mitigate the effects of other health or life-threatening concerns by ensuring budgetary support for healthcare;

(e) Mitigate the economic cost and losses stemming from the COVID-19 pandemic;

(f) Restore public trust and confidence on social and economic institutions;

(g) Accelerate the recovery and bolster the resilience of the Philippine economy through measures grounded on economic inclusivity and collective growth;

(h) Accommodate alternative modes of transportation, including a network of bicycle lanes in all roads in every city, municipality, and province for the people who may opt to use the bicycle as an alternative mode of transportation to address health, environment, and traffic concerns;
(i) Promote and protect the collective interests of all Filipinos in these challenging times;

(j) Optimize the use of science, technology and innovation in government’s response measures; and

(k) Enhance public trust in science and technology and incorporate the use of scientific research and technological expertise in policy-making process.

SEC. 3. COVID-19 Response and Recovery Interventions. - The following shall be undertaken and implemented as COVID-19 response and recovery interventions:

(a) Following World Health Organization (WHO) or the United States Centers for Disease Control and Prevention guidelines and best practices, adoption and implementation of measures to prevent or suppress further transmission and spread of COVID-19 through effective education, detection, protection, and treatment: PROVIDED, That the percentage of the population that will undergo COVID-19 testing shall be in accordance with WHO standards and global benchmark, in areas identified by the Department of Health (DOH) and the Department of Interior and Local Government (DILG) as epicenters of COVID-19 infections and in other areas where higher possibility of transmission of COVID-19 may occur or have occurred. The DOH shall adopt a COVID-19 disease surveillance protocol that shall define minimum health standards for workplaces and business activities which shall include COVID-19 testing and the establishment of a contact tracing system including personal contact tracing whereby a person maintains a record of the places that he/she had been to and the people he/she had contact with: PROVIDED, That any individual who tested positive for COVID-19 through laboratory confirmation at the national reference laboratory, sub-national reference laboratory, or a DOH certified laboratory testing facility shall be automatically treated and if necessary, isolated in a DOH-accredited quarantine and isolation facility: PROVIDED, FURTHER, That the Inter-
Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) shall identify and prioritize the areas and business activities critically impacted and severely affected by COVID-19 and with high probability of COVID-19 transmission, and coordinate with the relevant Local Government Units (LGUs) and government agencies for the implementation of the COVID-19 surveillance protocol. PROVIDED, FINALLY, That The DILG, in partnership with the LGUs and other government agencies, shall distribute the testing kits to DOH-accredited government hospitals and facilities that can perform testing;

(b) Implementation of an expedited and streamlined accreditation of polymerase chain reaction (PCR) testing kits and facilitation of prompt testing by public and designated private institutions of suspected and probable COVID-19 cases and those with no symptoms but with relevant travel history, or may have been exposed due to the nature of their work or due to their living conditions or had contact with a confirmed, suspected or probable case, and the compulsory and immediate isolation and treatment of confirmed, suspected and probable COVID-19 patients: PROVIDED, That the cost of testing and treatment for COVID-19 patients shall be covered under the National Health Insurance Program of the Philippine Health Insurance Corporation (PhilHealth): PROVIDED, FURTHER, That in addition to testing, isolation and treatment of these patients, the contacts of these patients shall also be immediately and properly traced through the use of efficient technology for data collection and analysis, and by engaging contact tracers from the existing network of barangay health workers, parent-leaders from the Pantawid Pamilyang Pilipino Program (4Ps), and members of duly accredited Civil Society Organizations (CSOs) by the respective national government agency;

(c) Adoption of a protocol on the conduct of PCR testing for COVID-19. For this purpose, the IATF-EID, in full cooperation with the DOH, the DILG, the Department of Labor and Employment (DOLE), the Department of Trade and Industry (DTI), and the Bureau of Immigration (BI), shall ensure the following:
(1) Adequate number of COVID-19 testing centers that provide available, affordable and accessible testing to the public, subject to reimbursement by PhilHealth under existing guidelines: PROVIDED, That people in geographically isolated or highly populated and depressed areas shall be provided the same level of access to COVID-19 testing;

(2) Hiring of skilled medical technologists, molecular biologists, epidemiologists, and other skilled laboratory technicians to conduct COVID-19 testing to achieve an ideal personnel-to-laboratory ratio taking into consideration DOH targets; and

(3) Procurement and distribution of supplies for COVID-19 PCR testing based on, among others, the current levels and projections of the following:

(i) number of patients and healthcare workers with severe or critical symptoms and history of travel or exposure; and

(ii) number of patients and healthcare workers with mild symptoms, relevant history of travel or exposure, and considered vulnerable: PROVIDED, that LGUs may implement their own procurement, distribution and monitoring program consistent with the overall provisions of this Act and the guidelines of the DOH.

(d) Delivery of uninterrupted immunization program against vaccine preventable diseases especially on children amidst the COVID-19 pandemic;

(e) Adoption by the DOH of a uniform and consistent reporting standard in a language understandable by the general public;

(f) Provide any of the following subsidies:

(1) Cash subsidy of Five thousand pesos (P5,000.00) to Eight thousand pesos (P8,000.00), in areas under Enhanced Community Quarantine (ECQ), to affected families in the informal sector whose total family income does not exceed the applicable regional minimum wage rate: Provided, That the subsidy shall be computed using as reference the
prevailing regional minimum wage rates; Provided further, that
the subsidy received from the current conditional cash transfer
program and rice subsidy received by properly identified and
qualified low income families shall be taken into consideration
in the computation of the emergency subsidy as provided for
in this Act. Provided furthermore, that the vetting and
validation of beneficiaries of the Social Amelioration Program
(SAP), and the related liquidation report thereto shall be
simplified to expedite the distribution of the subsidy: Provided
finally, that a definite and actual list of beneficiaries of the SAP
shall be submitted to Congress;

(2) Appropriate cash-for-work for displaced workers due to
COVID-19 that addresses the more pressing needs related
to managing the pandemic, or a wage subsidy for employees
of affected businesses in the formal sector of Five thousand
pesos (P5,000.00) to Eight thousand pesos (P8,000.00):
Provided That the wage subsidy shall be computed using as
reference the prevailing regional minimum wage rates:
Provided, further, That cash-for-work beneficiaries shall
secure a tax identification number (TIN);

Any subsidy program shall, as far as practicable, be implemented through
a social protection distribution system that embeds secure and privacy-
preserving data capture, verification, deduplication, payroll generation,
grievance, and payout using digital technologies. For this purpose, the
payment of necessary transaction fees for the last mile delivery of
subsidies to qualified beneficiaries is hereby authorized.

(g) Provision of emergency subsidy to low income households who are
qualified but were not granted such subsidy as mandated under Section
4c of the Republic Act No. 11469;

(h) Access to livelihood assistance, skills and training programs, loan
assistance, and employment opportunities for repatriated and returning
OFWs to ensure proper reintegration and the full utilization of their skills
for national development;

(i) Provision of a “COVID-19 special risk allowance” for all public health
workers on a monthly basis for every month that they are serving in the
duration of the COVID-19 pandemic, in addition to the hazard pay granted
under the Magna Carta of Public Health Workers or Republic Act No.
7305;
(j) Implementation of mandatory COVID-19 testing of public and private health workers every fifteen (15) days to ensure their protection;

(k) Assumption of all medical expenses of public and private health workers in case of exposure to COVID-19 or any work-related injury or disease during the duration of the pandemic;

(l) Provision of compensation of One Hundred Thousand Pesos (P100,000) to public and private health workers who have contracted or who may contract severe COVID-19 infection while in the line of duty: PROVIDED, FURTHER, That a compensation of One Million Pesos (P1,000,000) shall be given to public and private health workers, who have died or may die while fighting the COVID-19 pandemic: PROVIDED, FINALLY, That this shall have retroactive application from February 1, 2020;

(m) Provision of opportunity to Agrarian Reform Beneficiaries to enhanced access to credit facilities after the disruption of the food supply chain by the COVID-19 pandemic.

(n) Provision of subsidies and allowances to qualified students in Private and Public Elementary, Secondary, and Tertiary Education whose families are neither part of the Listahanan of the Department of Social Welfare and Development (DSWD) nor covered under the Tertiary Education Subsidy (TES) as provided in Republic Act No. 10931: PROVIDED, that the geographic prioritization of areas where there are no State Universities and Colleges (SUCs) and Local Universities and Colleges (LUCs) under Republic Act No. 10931 shall be suspended to make qualified students under this subsection eligible;

(o) Provision of a one-time cash assistance to affected teaching and non-teaching personnel, including part-time faculty, in Private and Public Elementary, Secondary, and Tertiary Education Institutions and part-time faculty in SUCs;

(p) Ensure that all LGUs are acting within the letter and spirit of all the rules, regulations and directives issued by the National Government pursuant
to this Act; and implementing standards of Community Quarantine (CQ) consistent with what the National Government has laid down for the subject area, while allowing LGUs to continue exercising their autonomy in matters undefined by the National Government or are within the parameters it has set; and are fully cooperating towards a unified, cohesive and orderly implementation of the national policy to address COVID-19: PROVIDED, That all LGUs shall be authorized to utilize more than five percent (5%) of the amount allocated for their calamity fund subject to additional funding and support from the National Government: Notwithstanding Section 325 subsection (a) of the Local Government Code providing a limitation of forty-five percent (45%) to fifty-five percent (55%), the LGUs shall be authorized to utilize additional five percent (5%) for Personnel Services in order to augment the existing manpower during the pandemic; Provided, Further, that pursuant to the Constitutional right of freedom of movement of persons, the IATF-EID shall be responsible for providing guidance on cross-border concerns, including but not limited to Locally Stranded Individuals (LSIs), Overseas Filipino Workers, domestic travellers, while the LGUs shall determine the policies and regulations within their respective jurisdictions;

(q) Enforcement of measures to protect the people from hoarding, profiteering, injurious speculations, manipulation of prices, product deceptions, and cartels, monopolies or other combinations in restraint of trade, or other pernicious practices affecting the supply, distribution and movement of food, clothing, hygiene and sanitation products, medicine and medical supplies, fuel, fertilizers, chemicals, building materials, implements, machinery equipment and spare parts required in agriculture, industry and other essential services, and other articles of prime necessity, whether imported or locally produced or manufactured;

(r) Ensure that donation, acceptance and distribution of health products intended to address the COVID-19 pandemic are not unnecessarily delayed and that health products for donation duly certified by the
regulatory agency or their accredited third party from countries with
established regulation shall automatically be cleared: PROVIDED, That
this shall not apply to health products which do not require a certification
or clearance from the Food and Drug Administration (FDA);

(s) Provision of preference and incentives to locally manufactured medical
and safety products including but not limited to face masks, personal
protective equipment (PPE) sets, shoe covers, face shields;

(t) Procurement of the following as the need arises, in the most judicious,
economical and expeditious manner, as exemptions from the provisions
on bidding process required under Republic Act No. 9184 or the
"Government Procurement Reform Act" and other relevant laws:
PROVIDED, That the following information and documents related to the
procurement shall be published in the Government Procurement Policy
Board (GPPB) online portal, the website of the procuring entity
concerned, if available, and at any conspicuous place reserved for this
purpose in the premises of the procuring entity within seven (7) working
days from the date of acceptance of the award:

(i) Project name;
(ii) Approved budget for contract;
(iii) Contract period;
(iv) Name of winning supplier, distributor, manufacturer,
contractor or consultant;
(v) Amount of contract as awarded;
(vi) Notice of award;
(vii) Date of award and acceptance;
(viii) contract or purchase order; and
(ix) A certification stating that the procuring entity exerted all
efforts to secure the most advantageous price to the
government based on existing price data of the agency, the
Department of Trade and Industry (DTI) or other relevant
agencies or preliminary market scanning done by the agency showing prevailing market prices and practice.

(1) Goods, which may include personal protective equipment such as gloves, gowns, masks, goggles, face shields; surgical equipment and supplies; laboratory equipment and its reagents; medical equipment and devices; support and maintenance for laboratory and medical equipment, surgical equipment and supplies; medical supplies, tools, and consumables such as alcohol, sanitizers, tissue, thermometers, hand soap, detergent, sodium hydrochloride, cleaning materials, povidone iodine, common medicines (e.g., paracetamol tablet and suspension, mefenamic acid, vitamins tablet and suspension, hyoscine tablet and suspension, oral rehydration solution, and cetirizine tablet and suspension); testing kits, and such other supplies or equipment as may be determined by the DOH and other relevant government agencies: PROVIDED, That the DOH shall prioritize the allocation and distribution of the aforesaid goods, supplies and other resources to the following:

(i) Public health facilities in the regions, provinces, or cities, that are designated as COVID-19 referral hospitals, such as, but not limited to, Philippine General Hospital (PGH), Lung Center of the Philippines (LCP), and Dr. Jose N. Rodriguez Memorial Hospital;

(ii) Private hospitals which have existing capacities to provide support care and treatment to COVID-19 patients; and

(iii) Public and private laboratories that have existing capacities to test suspected COVID-19 patients.

(2) Goods and services for social amelioration measures in favor of affected communities;

(3) Lease of real property or venue for use to house health workers or serve as quarantine centers, medical relief and aid distribution locations, or temporary medical facilities;
(4) Establishment, construction, and operation of temporary medical
facilities;

(5) Utilities, telecommunications, and other critical services in relation
to operation of quarantine centers, medical relief and aid
distribution centers and temporary medical facilities; and

(6) Ancillary services related to the foregoing.

PROVIDED, That to ensure adequate and responsive supply of critical
products, the government, as procuring entity shall give preference and
procure products, materials and supplies produced, made or manufactured
in the Philippines: Provided, further, That it shall be subject to competitive
procurement procedures. For this purpose, the DTI shall issue a certification
that the products, articles, materials, or supplies are produced, made or
manufactured in the Philippines;

(u) Partner with the Philippine Red Cross, as the primary humanitarian agency
that is auxiliary to the government in giving aid to the people, subject to
reimbursement, in the distribution of goods and services incidental in the fight
against COVID-19;

(v) Engage temporary Human Resources for Health (HRH) such as medical and
allied medical staff to complement or supplement the current health
workforce or to man the temporary medical facilities to be established in
accordance with Section 3 (t)(4) of this Act: PROVIDED, That HRH to be
hired on temporary basis shall receive the appropriate compensation and
allowances: PROVIDED, FURTHER, That all HRH serving in the front line
during the state of calamity due to COVID-19, shall receive an actual hazard
duty pay from the government: PROVIDED, FINALLY, That DOH, the DOLE
and its attached agencies shall closely coordinate to ensure that returning
OFW-health care workers, or those whose deployments were suspended
due to COVID-19, shall be properly referred to the ongoing hiring of
temporary HRH by DOH;
(w) Ensure the availability of credit to the productive sectors of the economy especially in the countryside through measures such as, but not limited to, lowering the effective lending rates of interest and reserve requirements of lending institutions: PROVIDED, That credit accommodation to the Micro, Small and Medium Enterprises (MSMEs), as well as those who are self-employed, shall be imposed a low interest, payable within three (3) years and shall not require any collateral if the loan does not exceed Three Million Pesos (P3,000,000);

(x) Provide loan interest rate subsidies for institutions of learning that have been affected by the decrease in enrollment due to the CQ or to enable these institutions to adequately prepare to implement blended learning: PROVIDED, That the terms of the loan shall be more reasonable than the prevailing market terms: PROVIDED, FURTHER, That the avails of such loan shall be conditioned on the non-implementation of an increase in tuition and other fees for the next school or academic year;

(y) Direct the Small Business Corporation (SBC) to expand its existing loan programs for MSMEs through a combination of increasing available loanable funds, reducing documentary requirements, increasing maximum loan amounts per borrower, reducing interest rates, extending loan terms, utilization of financial technologies to expand reach and increase access and set fast turn-around loan processing time; and allow the use of the loan proceeds for payroll costs, materials and suppliers, mortgage payments, rent, utilities, including fuel and storage, creation of new supportive businesses, re-purposing of existing business capital, any other business debt obligations that were incurred before the covered period or acquisition of new technologies and systems to adjust business processes for resiliency;

(z) Direct the Land Bank of the Philippines (LBP) and the Development Bank of the Philippines (DBP) to introduce a low interest loan program available to non-essential businesses to assist and encourage them to continue investing in their businesses: PROVIDED, That priority shall be given to agri-fishery
businesses and non-essential businesses that are small and medium enterprises, including start-ups;

(aa) Direct the Philippine Guarantee Corporation (PhilGuarantee) to issue an expanded government guarantee program for non-essential businesses, to ease current rules and regulations and give preference to critically impacted businesses, MSMEs, and activities that support DOH initiatives towards ensuring an adequate and responsive supply of health care services, and to guarantee the loan portfolio of partner financial institutions of eligible MSME loans.

(bb) Liberalization of the grant of incentives for the manufacture or importation of critical or needed equipment or supplies or essential goods for the carrying-out of the policy declared herein, including healthcare equipment and supplies: PROVIDED, That importation and/or local sale of these equipment and supplies shall be exempt from import duties, taxes and other fees; For this purpose, critical products, equipment or supplies or essential goods shall include the following: (1) goods referred to in Section 3 (t)(1) hereof; (2) equipment for waste management, including but not limited to waste segregation, storage, collection, sorting, treatment and disposal services; provided, that these said equipment and technologies and services are approved by the Department of Environment and Natural Resources (DENR), DOH or other concerned regulatory agencies; (3) inputs, raw materials and equipment necessary for the manufacture or production of essential goods referred to in Section 3 (t)(1) hereof;

(cc) Ensure the availability of essential goods, in particular, food and medicine, by adopting measures as may reasonably be necessary to facilitate and/or minimize disruption to the supply chain and/or improve the national end-to-end supply chain, including measures to reduce logistics costs and regulate and waive, as necessary, extra shipping charges imposed by international shipping lines, especially for basic commodities and services to the maximum extent possible;
(dd) Requiring businesses to prioritize and accept contracts, subject to fair and reasonable terms, for materials and services necessary to promote the herein declared national policy;

(ee) Provision of extension support, financial subsidies or other forms of assistance to qualified agri-fishery enterprises, farmers, fisherfolk, and other agricultural workers by the Department of Agriculture (DA);

(ff) Direct the Department of Transportation (DOTr) and such other agencies or instrumentalities that may be authorized under this Act and its implementing rules and regulations (IRR), to extend the following assistance to critically impacted businesses in the transportation industry:

(1) Provide direct cash or loan interest rate subsidy;
(2) Provide grants for applicable regulatory fees;
(3) Allow substitution of refund option to travel vouchers;
(4) Provide grants for fuel subsidy and/or digital fare vouchers, as may be necessary; and
(5) Provide grants for training, equipment, facilities, test kits and necessary personnel, on coping with increased health risks arising from infectious diseases.

Within fifteen (15) days from the effectivity of this act, the DOTr or any of its instrumentalities shall prescribe the eligibility requirements and other terms and conditions for any of the above-mentioned assistance, subject to the guidelines issued under this section.

For purposes of item 1, 2 and 3 herein, the DOTr or any of its instrumentalities shall utilize the loan and/or loan guarantee programs and other loan related measures provided under this Act, subject to the rules, regulations and guidelines issued under the corresponding intervention, including proper credit assessment of the borrower by the LBP and DBP which will administer the credit facilities or loan guarantees under this Act: PROVIDED, That a reasonable and proper business plan shall be submitted by the borrower: PROVIDED, FURTHER, That, loan
interventions implemented under this section shall be exclusively for critically impacted business in the transportation industry only.

For purposes of item (d) herein, the grants may include reductions in (i) rates through the removal of value-added tax (VAT) and local taxes as may be applicable, and (ii) fees and charges imposed by any regulatory agency and LGU. Such grants shall be payable, respectively, to the BIR, the relevant regulatory agencies and LGUs: PROVIDED, That, the grant shall be chargeable against the fund created for the purpose of implementing this section. PROVIDED, FURTHER, That any critically impacted business may avail of the grant for a period of not more than six (6) months.

Availment of any economic relief such as wage subsidy, loan, and loan guarantees and other relief under the other provisions of this act, does not disqualify such critically impacted businesses belonging to the transportation industry from availing the economic relief provided under this section.

The DOTr shall prioritize business entities that shall require assistance for any activity that supports the Balik Probinsya, Bagong Pag-asa Program under Executive Order (E.O.) No. 114 series of 2020.

(gg) Direct the Department of Tourism (DOT) to assist critically impacted businesses that are tourism enterprises, including tourism oriented barangay micro business enterprises, or other members of the informal sector in the tourism economy in any of the following programs:

(1) Provide loan interest rate subsidy;
(2) Marketing and product development, promotions and programs, including travel advertising and festival-support strategies;
(3) Grants for education, training, and advising of tourism stakeholder for the new normal alternative livelihood programs;
(4) Utilization of information technology for the improvement of tourism services, development of a tourist tracking system for emergency
response, and establishment of spatial database to improve planning capacity;

(5) In partnership with the LGU and DOH and/or private entities, establish COVID-19 testing centers in tourist destinations as identified by the DOT, to stimulate tourism and generate employment; and

(6) Any other relevant programs, including infrastructure, product-sourcing, and subsidized domestic package tours necessary to mitigate the economic effects of COVID-19 on the tourism industry.

For purposes of items (1) and (2) herein, government financial institutions such as the LBP and DBP shall administer the loans for DOT but subject to guidelines from the DOT that shall be prepared for these purposes: PROVIDED, That the loan interventions implemented under this Section shall be exclusively for accredited tourism enterprises, including such small-scale tourism-oriented enterprises accredited by LGUs.

Availment of grants, loans or loan guarantees through other provisions of this Act is not a disqualification for any tourism enterprise to avail of any economic relief measures in this Section.

The DOT shall prioritize establishments that (1) support the Balik Probinsya, Bagong Pag-as Program under E.O. No. 114, series of 2020, and (2) comply with the guidelines of the DOH towards ensuring an adequate and responsive supply of health care services.

(hh) Undertaking measures in partnership with appropriate internet and communication service providers in the acceleration of the deployment of critical Information and Communications Technology (ICT) infrastructure, equipment, software, and wireless technologies throughout the country to address the need for digital connectivity, internet speed and stability, and Cybersecurity in E-Commerce, E-Government, online learning, and telecommuting in order to sufficiently meet the significant additional shift of the general public to online services and platforms and to home and mobile communication units for doing work from home, for completing
commercial and other transactions, for convening meetings and conducting conferences and seminars/webinars, and for obtaining educational instruction during the COVID-19 pandemic through the Department of Information and Communications Technology (DICT);

(ii) Directing the DTI in coordination with other implementing agencies, to accelerate and undertake massive promotion of online commerce and offer technical and financial assistance through GFIs to those engaged in E-Commerce, such as those involved in internet retail, digital financial services, digital media, and ride-hailing. These include programs that will expedite the digitalization of MSMEs through training subsidies for onboarding or starter kits, wage support for new online enterprises, upskilling/reskilling and other activities as may be defined by the DTI, DICT, Technical Education and Skills Development Authority (TESDA), and Commission on Higher Education (CHED);

(jj) Regulation and limitation of the operation of all sectors of transportation through land, sea or air, whether private or public and provide the necessary infrastructure and support, including emergency pathways, LGU bicycle sharing scheme with proper safety equipment and pop-up bike lanes, for commuters, particularly health workers and other frontliners;

(kk) Regulation of traffic on all roads, streets, and bridges, and access thereto; prohibit putting up of encroachments or obstacles; authorize the removal of encroachments and illegal constructions in public places; and perform all other related acts;

(ll) Authorization of alternative working arrangements for employees and workers in the Executive Branch, and whenever it becomes necessary, in other independent branches of government and constitutional bodies, and the private sector;

(mm) Conservation and regulation of the distribution and use of power, fuel, energy and water, and ensure adequate supply of the same;
(nn) Implementation of the proper management and segregation of waste, especially of hazardous materials coming from health facilities, in the communities and households in order to contain the COVID-19 virus and other diseases;

(oo) Notwithstanding any law to the contrary, to direct the discontinuance of appropriated programs, projects or activities (P/A/P) of any agency of the Executive Department, including GOCCs, in the FYs 2019 and 2020 General Appropriations Act (GAA), which cannot be utilized effectively as a result of the COVID-19 outbreak, whether released or unreleased, the allotments for which remain unobligated, and utilize the savings generated therefrom to augment the allocation for any item needed to address the COVID-19 pandemic consistent with the herein declared national policy. The P/A/Ps that may be discontinued shall include discretionary foreign travel, representation, mass events and those identified by government agencies prior to the effectivity of this Act; Provided that such discontinued P/A/Ps do not support the objectives of economic stimulus and recovery for having low labor intensity or low multiplier effects; Provided, Further, that infrastructure, having the highest multiplier effect can only be discontinued when all other funds, including unobligated allotments and unreleased appropriations, have been exhausted; Provided, Finally, that the following items in the budget shall be prioritized for augmentation:

(1) Under the DOH – operational budgets of government hospitals, primarily those identified for treatment of COVID-19; prevention and control of other infectious diseases; emergency preparedness and response; and Quick Response Fund (QRF);

(2) Under the University of the Philippines – the operational budget of the PGH;

(3) The National Disaster Risk Reduction and Management Fund or calamity fund;
(4) Programs of the DOLE, such as, but not limited to: COVID-19 Adjustment Measures Program (CAMP), Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers (TUPAD), and the DOLE Abot-Kamay Ang Pagtulong (AKAP) for OFWs: PROVIDED, That in giving assistance under these programs, priority shall be given to those workers who have not been granted assistance under any of the programs of the government for workers;

(5) Under the DTI – Livelihood Seeding Program and Negosyo Serbisyo sa Barangay;

(6) Under the DA – Rice Farmers Financial Assistance Program;

(7) Under the Department of Education (DepEd) – School-Based Feeding Program; Digital Education, Digital Infrastructure, and Support to alternative learning modalities;

(8) Under various DSWD programs, such as but not limited to Assistance to Individuals in Crisis Situations (AICS), distribution of food and non-food items, livelihood assistance grants, and supplemental feeding program for daycare children;

(9) Under the DPWH-Local Infrastructure Programs

(10) Under Allocations to Local Government Units;

Notwithstanding the provisions of this Act, the discontinued program, activity or project may be revived at any time after the COVID-19 pandemic has ceased, and notwithstanding Section 67 of Republic Act No. 11465 or the “General Appropriations Act of 2020”, may be revived and proposed for funding within the next two (2) fiscal years;

The DSWD and DOLE shall be allowed, through Memorandum of Agreement (MOA), to transfer funds to the LGUs and allow said LGUs to facilitate the distribution of the Social Pension for Indigent Senior Citizens (SocPen), Assistance to Individuals in Crisis Situations (AICS) and Food and Non-Food Items (FNFI), COVID-19 Adjustment Measures Program (CAMP), Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers (TUPAD), and the DOLE Abot-Kamay Ang Pagtulong (AKAP) for OFWs:
(pp) Any unutilized or unreleased balance in a special purpose fund declaring a public health crisis of national concern, shall be considered to have their purpose abandoned for the duration of the health crisis. All such unspent, unutilized or unreleased money or funds sourced from collections or receipts, including future collections and receipts, shall be utilized and are hereby appropriated for such measures to address the COVID-19 situation and accomplish the declared national policy herein;

(qq) Reprogram, reallocate, and realign from savings on other items in the FY 2020 GAA in the Executive Department in the event that the appropriations specified under Section 7 hereof is insufficient to fund measures that address and respond to the COVID-19 pandemic within the period stipulated under Section 11; Provided that such reprogram, reallocation and realignment shall be limited to the sources of funding enumerated under Section 8 of this Act;

(rr) Notwithstanding any law to the contrary, the President is hereby authorized to allocate cash, funds, investments, including unutilized or unreleased subsidies and transfers, held by any GOCC or any national government agency in order to address the COVID-19 pandemic;

(ss) Moving of statutory deadlines and timelines for the filing and submission of any document, fees, and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under CQ;

(tt) Directing all banks, quasi-banks, financing companies, lending companies, real estate developers, insurance companies providing life insurance policies, pre-need companies, entities providing in-house financing for goods and properties purchased, asset and liabilities management companies and other financial institutions, public and private, including the GSIS, the SSS and Pag-ibig Fund, to implement a one-year or three hundred sixty-five (365) day grace period, staggered payment schedule, or any mutually beneficial arrangement for the payment of all loans, including but not limited to salary, personal, housing, commercial, and motor vehicle loans, amortizations, financial lease
payments and premium payments, as well as credit card payments, falling due within the government mandated quarantine in cities, provinces, or regions declared by the proper authorities without incurring interest on interests, penalties, fees, or other charges and thereby extending the maturity of the said loans: PROVIDED, That unpaid credit card bills shall be settled on staggered basis without interest on interests, penalties and other charges until December 31, 2020.

PROVIDED, FURTHER, That businesses not allowed to operate during the government mandated quarantine shall likewise enjoy the benefits of the one year or 365-day grace period.

PROVIDED, FURTHERMORE, That in addition to the provided grace period, banks, other Non-Bank Financial Institutions (NBFIs) under the supervision of the Bangko Sentral ng Pilipinas (BSP), and lending and financing companies under the supervision of the Securities and Exchange Commission (SEC), are encouraged to extend the terms of or agree to the restructuring of existing (i) consumer loans of employees of non-essential businesses, (ii) commercial loans of non-essential businesses, or to fund activities or investments therein, and (iii) local government loans, under any or all of the following conditions:

1. The payment dates of the loans referred herein, or any part thereof, are due anytime between March 16, 2020 and December 31, 2020;
2. The loan term may be extended for a period up to one (1) year, which may be further extended for a maximum of another one (1) year; and
3. Only the principal payments may be suspended in case of moratorium;

PROVIDED, FINALLY, That the banks and other NBFIs that agree to further loan term extensions or restructuring pursuant to this section shall be entitled to regulatory relief, as may be determined by the BSP, which may include, but is not limited to, (i) Staggered booking of allowances for credit losses, (ii) Exemption from loan-loss provisioning, (iii) Exemption from the limits on real estate loans, when applicable, (iv) Exemption from
related party transaction restrictions, and (v) Non-inclusion in the bank’s or
NBFI’s reporting on non-performing loans.

It is understood that this provision shall not apply to interbank loan
and bank borrowings.

(uu) Direct all institutions providing electric, water, telecommunications,
and other similar utilities to implement a minimum of thirty (30)-day grace
period for the payment of utilities falling due within the period of ECQ or
MECQ without incurring interests, penalties, and other charges:
PROVIDED, That after the grace period, unpaid residential and MSME
utility bills may be settled on a staggered basis payable in not less than
three (3) monthly installments, subject to the procedural requirements of
the concerned regulatory agencies in the imposition of such installment
plan without interests, penalties, and other charges: PROVIDED,
FURTHER, That covered institutions under this sub-section may offer
less onerous payment terms, with the consent of their clients subject to
the approval of their respective regulators: PROVIDED, FINALLY, that in
the case of the electric power sector, the minimum thirty (30) day-grace
period and staggered payment without interests, penalties and other
charges shall apply to all payments due within the period of the CQ in the
entire electric power value chain to include generation companies, the
transmission utility, and distribution utilities;

(vv) Provide for a minimum of thirty (30)-day grace period on residential
rents and commercial rents of lessees not permitted to work, and MSMEs
ordered to temporarily cease operations, falling due within the period of
the CQ, without incurring interests, penalties, fees, and other charges:
PROVIDED, That all amounts due within the period of CQ shall be
amortized in equal monthly installments until December 31, 2020 without
any interests, penalties and other charges: PROVIDED, FURTHER, That
no increase in rent shall be imposed during the same period: PROVIDED,
FURTHERMORE, That the minimum thirty (30)-day grace period shall be
reckoned from the date of the lifting of the ECQ or MECQ;
Implementation of an expanded and enhanced Pantawid Pamilyang Pilipino Program (4Ps), responsive to the needs posed by the crisis, and provision of an assistance program, whether in cash or non-cash, whichever is more practicable, where the Secretary of DSWD, or the Secretary of DOLE, when relevant, shall transfer cash, cash vouchers, or goods through the LGUs or directly to households who have no incomes or savings to draw from, including households working in the informal economy and those who are not currently recipients of the current 4Ps, of an amount adequate to restore capacity to purchase basic food and other essential items after the duration of the quarantine. To carry out this subsection, the Secretary of the DSWD and the Secretary of the DOLE may approve the temporary emergency standards of eligibility and level of benefits.

Lifting of the Thirty percent (30%) cap on the amount appropriated for the QRF, as provided for in Republic Act No. 10121 or the “Philippine Disaster Risk Reduction and Management Act of 2010”, during the existence of the COVID-19 pandemic;

Provision of assistance to the agriculture industry by creating the “Plant, Plant, Plant” Program which shall be composed of the following:
(1) Ahon Lahat, Pagkaing Sapat (ALPAS) kontra sa COVID-19; (2) food markets – food logistics and other interventions; (3) Urban agriculture program of the DA; and (4) Cash for work program in agriculture;

Implementation of a program which would: (1) fast track the approval of all pending and new applications for housing loans, permits and licenses by simplifying the requirements and procedure; and (2) accommodate and prioritize critically impacted home buyers who may want to shift from private bank financing to PAG-IBIG home financing with simplified requirements through the Department of Human Settlements and Urban Development (DHSUD) program and its key shelter agencies.

Encouraging the BSP to allow private banks and financial institutions to: (1) reallocate any unutilized loanable funds to housing loans; and (2) to grant subsidy to the home loan borrowers at the rate equivalent to the
gross receipt tax imposed on banks and financial institutions on their interest income.

(bbb) Encouraging BSP and the SEC to adopt measures, including the relaxation of regulatory and statutory restrictions and requirements for a period of not more than ten (10) years from their date of effectivity to encourage the banking industry and other financial institutions to extend loans and other forms of financial accommodation to help business recover from the economic effects of COVID-19 crisis and to enable the banking industry to manage appropriately its risks and potential losses.

The BSP and the SEC are likewise hereby authorized to grant reporting relief to its supervised entities by allowing staggered booking of allowance for credit losses for all types of credit accommodations extended to individuals and business entities affected by COVID-19.

(ccc) Issuance of a directive that all government agencies and LGUs shall act on all pending and new applications for permit, license, certificate, clearance, authorization and resolutions within a non-extendable period of five (5) working days, in order to support business continuity and encourage resumption of all economic activities. PROVIDED, That the applicant shall be allowed to undertake its compliance to any additional requirement that may be imposed by the government agency or LGU, and such will not delay the approval of the application;

(ddd) Production of a masterlist of all displaced and critically-impacted transport workers under the road, rail, air and maritime sectors to effectively implement the distribution of wage subsidies and cash-for-work program, as provided for in Sections 3 and 4 of this Act, through the DOTr:

PROVIDED, HOWEVER, That the DOTr is directed to coordinate the accelerated distribution of remaining subsidy under the Social Amelioration Program of Bayanihan I to driver beneficiaries so as not to coincide and confuse with the subsidy provided in this Act:

PROVIDED, FURTHER, That the DOTr is likewise tasked to work with financial institutions in looking at the possible restructuring of existing
loans without penalty and the provision of credit lines and low interest loans
to help critically-impacted transport service providers:

PROVIDED, FURTHERMORE, That the DOTr is also directed to
coordinate with transport service providers and LGUs to negotiate service
contracting of public utility vehicles as a form of temporary livelihood to
workers displaced by restrictions and reduced capacity of public
transportation, and other forms of arrangement to ensure that livelihood in
the transport sector is preserved:

PROVIDED, FINALLY, That there shall be no phaseout, at the
national and local level, of any modality of public utility vehicle as the
industry transitions to a new normal.

(eee) Provision of access to free, healthy meals to undernourished children
as mandated by Republic Act No. 11037 regardless of modality of learning
through the DepEd.

(fff) Providing regulatory relief to the critically-impacted creative sector by
tasking the DTI and the DILG to review the imposition of the amusement tax.
The President of the Philippines shall have the power to suspend, reduce or
waive the imposition of the fees and charges as recommended by the DTI
and DILG for a period of six (6) months.

(ggg) Provision of loan assistance, subsidies, discounts or grants to
schools, universities, colleges, technical vocational institutions, teachers,
faculties, and students for the purchase of distance learning tools, such as
computers, laptops, tablets and other ICT devices and equipment necessary
to conduct and access classes and learning materials under alternative
delivery modes of teaching and learning in the new normal through the
DepEd, the CHED and the TESDA, in partnership with GFIs: PROVIDED,
That the loan shall have terms that are more reasonable than those
prevailing in the market;

(hhh) Notwithstanding the provisions of Section 272 of Republic Act No.
7160 or the "Local Government Code of 1991", a portion of the Special
Education Fund shall be used for the support of alternative learning
modalities, digital education, digital infrastructure, and continuity plans, such
as the purchase of equipment, materials, and supplies related thereto,
provision of safe schools infrastructure, equipment and facilities such as
handwashing stations, soap, alcohol, sanitizers, and other disinfecting
solutions, as well as medical health supplies deemed appropriate by public
health officials such as thermometers, face masks, and face shields, subject
to existing accounting and auditing rules.

(iii) Extension of the term of standby loans entered into by LGUs;

(jjj) Directing the Department of Public Works and Highways (DPWH) to
immediately reinstate and proceed with the implementation of Infrastructure
Programs and Projects that were discontinued due to the pandemic and to
expedite the implementation of Infrastructure Programs and Projects to
generate local employment and stimulate the local economy;

(kkk) Allowing National and Local Government Agencies to directly
purchase agricultural and fishery products from farmers and fisherfolk as a
form of direct assistance even beyond the lapse of Republic Act No. 11469,
or the “Bayanihan To Heal As One Act,” in accordance with Republic Act No.
11321, or the “Sagip Saka Act”;

(III) Notwithstanding any law to the contrary, the Department of Budget
and Management (DBM) is hereby authorized to realign and reprogram
funds from programs, projects or activities which cannot be utilized
effectively as a result of the COVID-19 outbreak, whether released or
unreleased, the allotments for which remain unobligated and utilize the
savings generated therefrom to fund the following priority programs:

(1) Purchase of personal protective equipment for health workers
and other front-liners;

(2) Establishment of isolation and treatment facilities;

(3) Construction of field hospitals;

(4) Purchase of vaccines and / or cure for COVID-19 once
available;

(5) Hiring and provision of benefits for health workers and providing
for their allowances;

(6) Testing for COVID-19; and
(7) Subsidy for COVID-19 positive patients admitted to isolation centers.

Provided, however, that appropriations for infrastructure projects shall not be subject of reprogramming and realignment.

(mmm) Mandate the Department of Health (DOH) to issue procedures and guidelines on the establishment of private isolation and quarantine facilities created for the employees of private enterprises who are infected with COVID-19 that comply with DOH and WHO public health and safety standards; PROVIDED that the Department of Interior Local Government shall ensure that Local Government Units have supervision and authority over issuance of permits for the establishment of privately-run isolation and quarantine facilities; PROVIDED FINALLY, that the LGUs under DILG be mandated to fast-track the processing of the issuance of permits for the isolation and quarantine facilities through strict compliance with RA 9485, or the Anti-Red Tape Act of 2007.

(nnn) Mandate the DICT, DILG and DOH to immediately create and adopt a national online electronic application system accessible to everyone in each local government unit (LGU) to provide contact tracing capacity, scheduled transport capability, and brief medical history of all individuals in each locality; thereafter, mandate the DTI to require adoption of the nationwide online electronic application at all private establishments to monitor the movement of individuals and to serve as a means of enabling contact tracing for suspected COVID-19 positive cases.

(ooo) Notwithstanding any law to the contrary, direct the discontinuance of unutilized automatic appropriations for debt service and available appropriations for redemption of maturing government securities and use the savings generated therefrom to augment the allocation for any item necessary for the purposes identified in this Act. All amounts so reprogrammed, reallocated, or realigned shall be deemed automatically appropriated for the said purposes: Provided, That, for interest payment, the savings will be generated from the unused appropriations after the actual payment of interest per monthly interest payment submitted by the Bureau of the Treasury (BTr) to the Department of Budget and Management (DBM): Provided, further, That, for principal repayment, the savings will be generated from the funds freed up as a result of a debt exchange by the BTr;

(ppp) Any unutilized or unreleased balance in the Municipal Development Fund created under Presidential Decree No. 1914, including investments and undrawn portions of all loans, shall be considered to have their purpose abandoned. All such unspent, unutilized, unreleased, or undrawn money or funds shall be utilized and are hereby automatically appropriated for such measures to address the COVID-19 situation and accomplish the declared
national policy herein: Provided, That all investments, loans, credits, grants or
crredit accommodations existing at the time of effectivity of this Act shall
be assigned to Government Financial Institutions, which shall henceforth have
all the rights and obligations of the Fund under the contracts; and

(qqq) Utilize the funding as provided in Section 7 of this Act.

SEC. 4. Joint Venture between the Land Bank of the Philippines (LBP) and
the Development Bank of the Philippines (DBP). - The Land Bank of the Philippines
(LBP) and the Development Bank of the Philippines (DBP) are hereby authorized
to invest in, or enter into a joint venture agreement to incorporate a special holding
company, to be known as Accelerating Recovery to Intensify Solidarity and Equity,
Inc. or ARISE, Inc. that is a stock corporation to be organized under Republic Act
No. 11232, otherwise known as “The Revised Corporation Code of the Philippines,”
within six (6) months beginning from the date of effectivity of the rules and
regulations of this Section, or effectivity of applicable revenue regulations,
whichever is later, subject to the following:

(a) The purpose of ARISE, Inc. is to assist strategically important companies
affected by the COVID-19 pandemic to address solvency issues, such
as those with considerable impact on the economy including companies
from the agriculture, infrastructure, service, and manufacturing industries
and other industries to be identified in the implementing rules and
regulations;

(b) The Board of ARISE, Inc. shall be composed of seven (7) members, as
follows: the Secretary of Finance, as ex officio Chairperson, the
President of LBP; the President of DBP; a director to be appointed by the
Monetary Board of the BSP; and three (3) directors who shall be
appointed by LBP, DBP, and the private equity investor, if any, in
proportion to the voting shares held in ARISE, Inc.: Provided, That, once
the private shareholdings reach fifty percent (50%) of the total
outstanding capital stock, the members of the Board of Directors shall be
elected in accordance with the The Revised Corporation Code of the
Philippines and the Articles of Incorporation and By-Laws of ARISE, Inc.
shall be amended accordingly;

(c) Other provisions for the establishment, administration, and operation of
ARISE, Inc., which shall include its power to create subsidiaries, the
mechanism for equity participation of private sector investors, the
restrictions imposed on investee companies, the divestment of
government shares, and the necessary rules that will ensure protection
of government interest in ARISE, Inc. and its subsidiaries shall be
provided in the implementing rules and regulations: Provided, That the agreement between the special holding company and the investee company must contain the following minimum conditions:

(1) The investee company must not reduce the number of employees beyond the percentage prescribed by the special holding company;

(2) The investee company shall not, without prior authority from the special holding company, be allowed to issue stock dividends and repurchases during the term of the investment;

(3) The investee company shall not issue cash dividends during the term of the investment;

(4) The investee company must not increase the salaries, benefits and other forms of remuneration of its senior executive officers and members of its board;

(5) The investee company shall not provide or grant senior executive officers and members of its board separation pay or retirement pay: Provided, That any amount received by the senior executive officers and members of the board which is in violation of the foregoing shall be returned;

(6) The investee company shall not incur irregular, unnecessary, excessive, extravagant, or unconscionable expenditures such as entertainment, events, office/facility renovations, aviation/transportation services, and other activities;

(7) The ownership of either LBP or DBP, or both, in the investee company shall not be diluted and a provision protecting the value of the shares of LBP or DBP or both from market transactions such as stock splits, mergers, and other forms of reorganization and recapitalization shall be included in the agreement; and

(8) The investment in the investee company shall be time-bound with a definite exit mechanism;

Provided, further, That additional conditions and provisions may be imposed by the special holding company to ensure that the investment will be properly utilized and ensure the successful rehabilitation of the investee company;
(d) ARISE, Inc. and its subsidiaries shall be exempt from the provisions of Republic Act No. 10149 or the “GOCC Governance Act of 2011;

(e) Any existing law to the contrary notwithstanding, to ensure the effective implementation of the purposes of this Section, all transactions of LBP, DBP, ARISE Inc. and its subsidiaries, pursuant to their mandate and functions as defined in this Section, shall be exempt from the following:

(1) All national and local taxes, fees, charges, and assessments for a period of not more than three (3) years from the date of effectivity of the applicable implementing rules and regulations or of the applicable revenue regulations, whichever comes later: Provided, That upon recommendation of the ARISE, Inc. Board of Directors based on its determination that the distressed companies under rehabilitation are still at risk of insolvency and cannot continue business as a going concern, the Secretary of Finance may extend such period by a maximum of three (3) years: Provided, further, That the tax exemptions/privileges granted to LBP, DBP, ARISE, Inc. and its subsidiaries are not applicable to and cannot be enjoyed by the third party;

(2) Republic Act No. 9184 or the “Government Procurement Reform Act,” for a period of three (3) years from the effectivity of the implementing rules and regulations to be issued under this Section, with respect to their procurement activities;

(3) Further, all sale or acquisitions of assets of an investee company by ARISE, Inc. and its subsidiaries pursuant to their mandate and functions shall be exempt from the provisions of Republic Act No. 10667 or the “Philippine Competition Act” for a period of three (3) years from their incorporation;

(4) Any provision of law to the contrary notwithstanding, the disposal of assets of an investee company by ARISE, Inc. and its subsidiaries pursuant to their mandate and functions shall be exempt from the provisions of law on government disposal of assets;

(5) For purposes of this Section, the Monetary Board may exempt DBP and LBP from such ratios, ceilings and limitations, provided under Republic Act No. 8791 or the “The General Banking Law of 2000,”
for a period as may be determined by the Monetary Board, subject to such conditions as may be prescribed by the Monetary Board;

(f) The general rule and the exception therefrom on the liability of public officers as provided in Sections 38 and 39 of Chapter 9, Book 1 of the Revised Administrative Code of 1987 shall apply to the members of the Board and other personnel of the special holding company. Unless the actions or omissions of the special holding company, members of the Board and its other personnel are finally adjudged to be in willful violation of this Act, performed in evident bad faith or with gross negligence, they are held free and harmless to the fullest extent permitted by law from any liability, and they shall be indemnified for any and all liabilities, losses, claims, demands, damages, deficiencies, costs and expenses of whatsoever kind and nature that may arise in connection with the exercise of their powers and performance of their duties and functions;

(g) No court, other than the Court of Appeals and the Supreme Court, shall issue any temporary restraining order, preliminary injunction, preliminary mandatory injunction, status quo order, stay order, commencement order, or any other issuance of injunctive relief against the sale or acquisitions of assets of an investee company by ARISE, Inc. and its subsidiaries, or the disposal of assets of an investee company by ARISE, Inc. and its subsidiaries, including judicial or extrajudicial foreclosure sales or execution sales;

(h) For purposes of this Section, within thirty (30) days from the effectivity of this Act, the DOF, acting as chairperson, BIR, SEC, DBP, and the LBP shall issue the implementing rules and regulations; Provided, That the DOF may call upon any agency to provide information or assistance in the drafting of the rules and regulations.

SEC. 5. Financial Institutions Strategic Transfer Corporation. - To enable financial institutions (FIs) to free up much-needed liquidity for lending to the productive sectors of the economy crucial to economic recovery, transfers of non-performing assets (NPAs) shall enjoy tax exemptions and other fiscal incentives in accordance with Republic Act (RA) No. 9182, otherwise known as the Special Purpose Vehicle Act of 2002, as amended by RA No. 9343. For this purpose, RA No. 9182, as amended, is hereby re-enacted subject to the following amendments:

(a) Covered Financial Institutions. – In addition to those enumerated in Section 3(e) of Rep. Act No. 9182, as amended, FIs shall include lending companies, as defined under Rep. Act No. 9474, and other institutions
licensed by the BSP to perform quasi-banking functions and credit-granting activities.

(b) **Definition of Terms.**

(1) NPAs refer to non-performing Loans (NPLs) and real and other properties acquired (ROPAs), as defined under BSP rules and regulations.

(2) "True Sale" refers to a sale wherein the selling FI sells its NPAs to a Financial Institutions Strategic Transfer Corporation (FISTC), without recourse, for cash or property, and without prejudice to the FI and FISTC agreeing on sharing of profits in accordance with the conditions prescribed in the rules and regulations to be issued to implement this Section: Provided, That the selling FI shall not have direct or indirect control of the transferee FISTC: Provided, further, That the selling FI does not have legal or beneficial ownership of more than ten percent (10%) of the transferee FISTC.

(c) **Financial Institutions Strategic Transfer Corporation.** A FISTC is a stock corporation organized in accordance with Rep. Act No. 11232, otherwise known as "The Revised Corporation Code of the Philippines," and the rules promulgated by the Securities and Exchange Commission (SEC), for purposes of registering the FISTC: Provided, That if the FISTC will acquire land, at least sixty percent (60%) of its outstanding capital stock shall be owned by Philippine nationals pursuant to Rep. Act No. 7042, as amended, otherwise known as the "Foreign Investments Act." The BSP, GFIs and GOCCs may create a FISTC subject to their respective charters, and in the case of GFIs and GOCCs, the approval of the Governance Commission for Government-Owned or -Controlled Corporations (GCG): Provided, That the limitations under Subsection 5(b)(2) of this Section shall not apply to BSP and such GFIs or GOCCs.

FISTCs which are not qualified to acquire or hold land in the Philippines shall be allowed to bid and take part in foreclosure sales of real property mortgaged to them, as well as to avail of enforcement and other proceedings, and accordingly to take possession of the mortgaged property, for a period not exceeding five (5) years from actual possession: Provided, That in no event shall the title to the property be transferred to such FISTC. In case the FISTC is the winning bidder, it shall, during the said five (5)-year period, transfer its rights to a qualified Philippine national, without prejudice to a borrower's rights under applicable laws. Should a FISTC not be able to transfer such property
within the five (5)-year period, the FISTC shall be penalized one half of
one percent (½ of 1%) per annum of the price at which the property was
foreclosed, until the FISTC is able to transfer the property to a qualified
Philippine national.

(d) Period for Filing of Applications. — Applications for the establishment and
registration of a FISTC shall be filed with the SEC within twenty-four (24)
months beginning from the date of effectivity of the rules and regulations
of this Section, or effectivity of applicable revenue regulations, whichever
is later. Entities created under Rep. Act No. 9182, as amended, are
qualified to avail of the privileges and incentives under this Section,
subject to compliance with the requirements prescribed in the rules and
regulations issued to implement this Section.

(e) Notification requirement. — FIs shall give prior notice to the borrowers of
the NPLs and all persons holding prior encumbrances upon the assets
mortgaged or subject to security interest. Such notice shall be in writing
and made in accordance with the Rules of Court and the rules and
regulations issued to implement this Section, at their last known address
or their e-mail address registered and on file with the FI. The ninety (90)-
day renegotiation period between the borrower and FIs in Section 12 of
Rep. Act No. 9182, as amended, is hereby deleted.

(f) Nature of Transfer. — NPAs may be sold to a FISTC without the need for
borrower's consent. The proviso in Section 13 of Rep. Act No. 9182, as
amended, which states that the provisions on subrogation and
assignment of credits under the New Civil Code shall apply to the transfer
of NPLs is hereby deleted.

(g) Issuance of Injunctive Relief Against Transfer of Assets. — No court,
other than the Court of Appeals and the Supreme Court, shall issue any
temporary restraining order, preliminary injunction, preliminary
mandatory injunction, status quo order, stay order, commencement
order, or any other issuance of injunctive relief against the transfer of
NPAs from the FI to a FISTC, and from a FISTC to a third party, or dation
in payment by the borrower or by a third party in favor of an FI or in favor
of a FISTC, or judicial or extrajudicial foreclosure sales or execution sales
of the FI or FISTC of collateral in settlement of NPLs.

(h) Consumer Protection Mechanism. — The FISTC shall set up an
appropriate consumer protection mechanism as may be prescribed in the
rules and regulations to be issued by the appropriate regulatory authority.
Implementing Rules and Regulations. — Within thirty (30) days from the
effectivity of this Act, the SEC, jointly with the BSP, the DOF, and the
BIR, shall promulgate the necessary rules and regulations for the
effective implementation of this Section which shall include, but not be
limited to (1) adequate minimum capitalization of a FISTC, (2) rules
governing the approval, amendment, rejection, suspension, or
revocation of a FISTC Plan, (3) qualifications of "Permitted Investors;"
and (4) special rules for the disposition of assets of GFIIs and GOCCs:
Provided, That within thirty (30) days from the effectivity of this Act, the
DOF, upon recommendation of the BIR, shall promulgate the revenue
regulations implementing the fiscal incentives under Rep. Act No. 9182,
as amended, and this Section.

Applicability Clause. — The provisions of this Section shall be applicable
to assets that have become non-performing as of December 31, 2020:
Provided, That subject to consultation with the BSP, SEC, and BIR, and
based on the level of non-performing assets in the banking and financial
systems and its effect on financial stability, the Secretary of Finance may
extend the said period by a maximum of two (2) years, and consequently,
extend the periods provided in Subsection 5(d) of this Act and Sections
15 and 16 of Republic Act No. 9182, as amended, by a maximum number
of years as originally provided therein.

Interpretation. — In case of conflict between the provisions of RA No.
9182, as amended, and this Section, the latter shall prevail. All
references to “Special Purpose Vehicle (SPV)” and “Commission” in RA
No. 9182, as amended, shall be replaced with “Financial Institutions
Strategic Transfer Corporation (FISTC)” and “SEC,” respectively.

SEC. 6. Authority to direct the operation of private establishments. —
Consistent with Article XII, Section 17 of the Constitution, when the public interest
so requires, the President may direct the operation of any privately-owned hospitals
and medical and health facilities including passenger vessels and other
establishments, to house health workers, serve as quarantine areas; quarantine
centers, medical relief and aid distribution locations, or other temporary medical
facilities; and public transportation to ferry health, emergency, and frontline
personnel and other persons: Provided, however, That the management and
operation of the foregoing enterprises shall be retained by the owners of the
enterprise, who shall render a full accounting to the President or his duly authorized
representative of the operations of the utility or business as basis for appropriate
compensation: Provided, further, That reasonable compensation for any additional
damage or costs incurred by the owner or the possessor of the subject property
solely on account of complying with the directive shall be given to the person entitled
to the possession of such private properties or businesses after the situation has
stabilized or at the soonest time practicable: Provided, finally, That if the foregoing
enterprises unjustifiably refuse or signify that they are no longer capable of
operating their enterprises for the purpose stated herein, the President may take
over their operations subject to the limits and safeguards enshrined in the Constitution.

SEC. 7. Appropriations. The following amounts, or so much thereof as may be necessary, are hereby appropriated and shall be used to support operations and response measures to address the COVID-19 pandemic and the following:

(a) Ten Billion pesos (P 10,000,000,000.00) as subsidy to the National Health Insurance Program of PhilHealth to be used solely to cover COVID-19 expanded testing based on DOH Protocol and for allocation of COVID-19 confinements (inpatients);

(b) Ten Billion Five Hundred million pesos (P 10,500,000,000.00) allocated to the Department Of Health for continuous employment of existing emergency Human Resource for Health (HRH) and additional emergency HRH for hiring, Php 10,000 Risk Allowance for Private Sector HCWs treating COVID-19 Patients, free life insurance for all Healthcare Workers (HCWs) (Public and Private), for free accommodation, transportation, and meals for all HCWs (Public and Private), Special Risk allowance for Public HCWs directly managing COVID-19 patients, for HCW compensation for mild, severe/critical, deaths from COVID-19, augmentation for operations of DOH Hospitals;

(c) Three Billion Pesos (P 3,000,000,000.00) for procurement of face masks, personal protective equipment (PPE) sets, shoe covers and face shields to be provided to local Health Workers, Barangay Officials, and other indigent persons that need protection to prevent the spread of COVID-19: Provided that preference shall be given to products manufactured, produced, or made in the Philippines;

(d) Four Billion Pesos (P 4,000,000,000.00) to finance the construction of temporary medical isolation and quarantine facilities, field hospitals, dormitories for frontliners, and for the expansion of government hospital capacity all over the country;

(e) Twenty Billion Pesos (P20,000,000,000.00) for the implementation of appropriate cash-for-work programs for displaced workers as may be necessary in the management of or response to the COVID-19 pandemic, including the hiring of contact tracers such as but not limited to, Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced Workers (TUPAD), COVID-19 Adjustment Measures Program (CAMP) and DOLE Abot-kamay ng Pagtulong (AKAP) for OFW;

(f) Fifty One Billion Pesos (P51,000,000,000.00) for the infusion of capital to GFIs to be allocated as follows:
(1) Five billion pesos (P5,000,000,000.00) for the credit guarantee program of the Phil Guarantee;

(2) Thirty billion pesos (P30,000,000,000.00) to support banking facilities and equity infusion of the LBP in ARISE, Inc. under Section 4 of this Act;

(3) Fifteen billion pesos (P15,000,000,000.00) to support banking facilities and equity infusion of the DBP in ARISE, Inc. under Section 4 of this Act;

(4) One Billion Pesos (P 1,000,000,000.00) as additional funding for the COVID-19 Assistance to Restart Enterprises (CARES) Program of the Small Business Corporation and for its other lending programs to be extended to micro, small and medium enterprises affected by the Covid-19 pandemic and by other socio-economic reversals.

(g) Twenty Billion Pesos (P20,000,000,000.00) to provide direct cash or loan interest rate subsidies, under the programs of the Department of Agriculture- Agricultural Credit Policy Council (DA-ACPC) and other forms of assistance to qualified agri-fishery enterprises, farmers, and fisherfolk registered under the Registry System for Basic Sectors in Agriculture (RSBSA) and to finance the Plant, Plant, Plant Program ensuring food security and continuous productivity in the agricultural sector including accessibility through farm to market roads;

(h) Ten Billion Pesos (P10,000,000,000.00) to finance the programs of the DOTr to assist the critically impacted businesses in the transportation industry, provision of temporary livelihood to displaced workers in the industry through partial subsidy of service contracting of public utility vehicles, as provided in this Act, and for the development of accessible sidewalks and protected bicycle lanes, procurement of bicycles and related safety equipment for bicycle distribution, sharing and lending programs, and procurement of bicycle racks;

(i) Ten Billion Pesos (P10,000,000,000.00) to finance the programs of the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) assisting the recovery of the tourism industry that shall include the provision of tourism infrastructures;

(j) One Hundred Million Pesos (P100,000,000.00) to finance the training and subsidies for tourist guides;

(k) Three Billion pesos (P3,000,000,000.00) to assist SUCs in the development of smart campuses through investments in ICT infrastructure, acquisition of learning management systems and other appropriate equipment to fully implement flexible learning modalities, including the provision of loan interest rate subsidies;
(l) Six Hundred Million Pesos (P600,000,000.00) for subsidies and allowances to qualified students of public and private Elementary, Secondary, and Tertiary Education Institutions;

(m) Three Hundred Million Pesos (P300,000,000.00) for subsidies and allowances of affected teaching and non-teaching personnel, including part time faculty, in private and public Elementary, Secondary, and Tertiary Education Institutions including part-time faculty in SUCs;

(n) One Billion Pesos (P1,000,000,000.00) as additional scholarship funds of TESDA under its training for work scholarship program and special training for employment program (STEP) for the retooling, retraining, and upskilling of displaced workers including returning OFWs, as well as provision of tool kits under the (STEP);

(o) Twelve Billion Pesos (P12,000,000,000.00) to finance DSWD programs, such as but not limited to Assistance to Individuals in Crisis Situations (AICS), Emergency Subsidy to cater for areas which will be placed on hard lockdown, Sustainable Livelihood Program for informal sectors not being catered by DOLE, distribution of food and non-food items, livelihood assistance grants, and supplemental feeding program for daycare children: Provided, further that funds of the AICS program can also be utilized to procure Food Packs subject to the existing circulars of DSWD;

(p) Four Billion Pesos (P4,000,000,000.00) to assist the DepEd in the implementation of Digital Education, Information Technology (IT) and Digital Infrastructures and Alternative Learning Modalities;

(q) One Billion Five hundred million pesos (P1,500,000,000.00) as assistance to Local Government Units (LGUs);

(r) One Hundred Eighty Million pesos (P180,000,000.00) to finance the allowances for National Athletes and Coaches whose allowances were reduced to 50% due to the pandemic;

(s) Eight Hundred Twenty Million (P820,000,000.00) for the augmentation of the Department of Foreign Affairs-Office of the Migrant Workers Affairs 2020 Assistance-To-Nationals Fund for repatriation-related expenses, shipment of remains and cremains of overseas Filipinos (OFs) who passed away due to COVID-19, medical assistance of OFs, and other assistance that may be provided for OFs who are affected by the pandemic;

PROVIDED, That the Department of Budget and Management (DBM) shall submit reports on the releases made pursuant to this Section as part of the weekly report as mandated in Section 10 of this Act.
SEC. 8. Sources of Funding. – The enumerated subsidy and stimulus measures, as well as all other measures to address the COVID-19 pandemic shall be funded from the following:

(a) 2020 General Appropriations Act (GAA): PROVIDED, That funds for the herein authorized programs and projects shall be sourced primarily from the unprogrammed funds and savings realized from modified, realigned, or reprogrammed allocations for operational expense of any government agency or instrumentality under the Executive Department, including, but not limited to, travelling expenses, supplies and materials expenses, professional services, general services, advertising expenses, printing and publication expenses, and other maintenance and operating expenses in the 2020 GAA.

(b) Savings pooled pursuant to Republic Act No. 11469 or the Bayanihan to Heal as One Act and Section 3 paragraphs (oo), (pp), (qq), and (rr) of this Act;

(c) Excess revenue collections in any one of the identified tax or non-tax revenue sources from its corresponding revenue collection target, as provided in the FY 2020 Budget of Expenditures and Sources of Financing (BESF);

(d) New revenue collections or those arising from new tax or non-tax sources which are not part of nor included in the original sources included in the FY 2020 BESF;

(e) All amounts derived from the cash, funds, and investments held by any GOCC or any national government agency;

(f) Amounts derived from the 5% franchise tax on all gaming receipts/earnings or the agreed pre-determined minimum monthly revenues from gaming operations, whichever is higher, earned by offshore gaming licensees, including gaming operators, gaming agent, service providers and gaming support providers;

(g) Income tax, VAT, and other applicable taxes on income from non-gaming operations earned by offshore gaming licensees, operators, agents, service providers and support providers.
After two years or upon a determination that the threat of COVID-19 has been successfully contained or abated, whichever comes first, the revenues derived under paragraphs (f) and (g) shall accrue to the General Fund of the Government. The BIR shall implement closure orders against offshore gaming licensees, operators, agents, service providers and support providers who fail to pay the taxes due, and such entities shall cease to operate.

SEC. 9. Procurement of COVID-19 Drugs and Vaccines. - Notwithstanding any law to the contrary, the requirement of Phase IV trials for COVID-19 medication and vaccines stipulated in the Universal Healthcare Law is hereby waived to expedite the procurement and distribution of said medication and vaccine, Provided that the following minimum safeguards are in place:

(a.) The medication or vaccine is recommended and approved by the World Health Organization and/or other internationally recognized health agencies or international medical community;

(b.) Conduct of safety and effectiveness surveillance, aligned with surveillance reporting systems from other countries' regulatory authorities;

(c.) Risk communication on the benefits and risks of the vaccine;

(d.) Informed consent and assent to vaccine recipients;

(e.) Conduct of a pilot test before mass roll-out; and

(f.) Conduct of community engagement activities.

SEC. 10. Reports to Congress and Creation of an Oversight Committee. – The President, during Monday of every week, shall submit a weekly report to Congress of all acts performed pursuant to this Act during the immediately preceding week including a report on the targets and actual accomplishments of government programs, strategies, plans, and efforts relative to the COVID-19 pandemic as well as relevant and more granulated health-related data, and such other information which Congress may require. The terms and conditions of any loan entered into by the government to finance the programs and projects to implement this law shall likewise be included in the Report. The Report shall also contain a detailed BESF tables for COVID-19, similar to the BESF tables submitted to Congress by the Development Budget Coordination Committee.
For this purpose, the Congress shall establish a Joint Congressional Oversight Committee composed of four (4) members of each house to be appointed by the Senate President and the House Speaker, respectively. This Committee shall determine whether such acts, orders, rules and regulations are within the restrictions provided herein.

SEC. 11. Construction or Interpretation. – Nothing herein shall be construed as an impairment, restriction or modification of the provisions of the Constitution. In case the exercise of the powers herein granted conflicts with other statutes, orders, rules or regulations, the provisions of this Act shall prevail.

SEC. 12. Separability. – If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of this Act or the application of such provision to any other person or circumstance shall not be affected by such declaration.

SEC. 13. Repealing Clause. – Republic Act No. 11469 is hereby repealed upon the adjournment of the First Regular Session of the Eighteenth Congress, in accordance with Article VI, Section 23 (2) of the Constitution. All laws, acts, decrees, executive orders, issuances, and rules and regulations or parts thereof which are contrary to and inconsistent with this act are hereby repealed, amended or modified accordingly.

SEC. 14. Effectivity. – Except as otherwise specifically provided hereof, this Act shall be in full force and effect until December 31, 2020.

This Act shall take effect immediately upon its publication in a newspaper of general circulation or in the Official Gazette.

Approved,