



EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON SEPTEMBER 21, 2021

PRESENT:

- | | |
|---|---------------------------------|
| Vice Mayor Jose Antonio Miguel Y. Perez | - Presiding Officer |
| Councilor Apolonia G. Bacay | - Presiding Officer Pro-Tempore |
| Councilor Cirilo B. Radoc | - Majority Floor Leader |
| Councilor Oscar A. Boling | - Minority Floor Leader |
| Councilor Carolyn D. Sison | - Member |
| Councilor Michelle S. Segundera | - Member |
| Councilor Joselito O. Fontelera | - Member |
| Councilor Verna S. D. Rabago | - Member |
| Councilor Froebel A. Ranoy | - Member |
| Councilor Dahlia M. de Leon | - Member |
| Councilor Alfred Felix E. de Castro | - Member |
| LBP Raul B. Bacay | - Ex-Officio Member |
| PPSKP Lovely V. Bernabe | - Ex-Officio Member |

-----oOo-----

ORDINANCE NO. 2021-31

AN ORDINANCE PROHIBITING THE SALE OF CORONAVIRUS DISEASE 2019 VACCINE IN ANY MANNER OR SCHEME IN THE CITY OF ALAMINOS, PANGASINAN PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

Sponsored by: Councilor Apolonia G. Bacay

WHEREAS, on March 9, 2021, President Rodrigo Duterte issued Proclamation No. 922 declaring the country under State of Public Health Emergency due to the Coronavirus Disease 2019 pandemic;

WHEREAS, Section 5 of Republic Act No.11525, otherwise known as "AN ACT ESTABLISHING THE CORONAVIRUS DISEASE 2019 (COVID-19) VACCINATION PROGRAM EXPEDITING THE VACCINE PROCUREMENT AND ADMINISTRATION PROCESS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES," private entities may procure COVID-19 vaccines only in cooperation with the Department of Health (DOH) and the National Task Force through a multi-party agreement which shall include the DOH and the relevant supplier of COVID-19 vaccine;

WHEREAS, Section 11 of the same Act further provides that beginning January 1, 2021, the procurement, importation, donation, storage, transport, development and administration of COVID-19 vaccine xxxxx by private entities shall be exempt from custom duties, value-added tax, excise tax, donor's tax and other fees. Provided that the vaccine shall not be intended for resale or other commercial use and shall be distributed without consideration from persons to be vaccinated;

WHEREAS, at present, the sale and/or purchase of vaccines from private persons or entities are prohibited under the law until a full market authorization is issued by the Philippine Food and Drug Administration (FDA). COVID-19 vaccine suppliers have only been given an Emergency Use Authorization (EUA) by the Philippine Government;

(Handwritten signatures of councilors and officials)



(Cont. Ord. No. 2021-31, enacted on 21st day of September, 2021)

-page 2 of 3-

WHEREAS, EUA as an authorization issued by the FDA for unregistered (under development) drugs and vaccines during public health emergencies and shall only be issued and remain valid when all of the following circumstances are present pursuant to Paragraph VI of FDA Circular No. 2020-036 issued on 14 December 2020:

1. Based on the totality of evidence available, including data from adequate and well-known controlled trials, it is reasonable to believe that the drug or vaccine may be effective to prevent, diagnose, or treat COVID-19;
2. The known and potential benefits of the drug or vaccine, when used to diagnose, prevent, treat COVID-19, outweigh the known and potential risks of the drug or vaccine, if any; and
3. There is no adequate, approved and available alternative to the product for diagnosing, preventing or treating COVID-19.

The last condition is deemed present when there exists no registered drug or vaccine in the country for diagnosing, preventing or treating COVID-19.

WHEREAS, Paragraph IV of the same Circular further provides that EUA is not a Certificate of Product Registration (CPR) or marketing authorization;

NOW, THEREFORE, upon due deliberation of the merits surrounding the issue and on motion of Councilor Apolonia G. Bacay, duly seconded by Councilor Cirilo B. Radoc, Councilor Alfred Felix E. de Castro, Councilor Dahlia M. de Leon, Councilor Carolyn D. Sison, Councilor Verna S. D. Rabago,

BE IT ENACTED AS IT IS HEREBY ENACTED BY THE SANGGUNIANG PANLUNGSOD IN SESSION DULY ASSEMBLED, THAT:

SECTION 1. TITLE. This ordinance shall be entitled: **"AN ORDINANCE PROHIBITING THE SALE OF CORONAVIRUS DISEASE 2019 VACCINE IN ANY MANNER OR SCHEME IN THE CITY OF ALAMINOS, PANGASINAN."**

SECTION 2. PROHIBITED ACTS. — It shall be unlawful for any person or entity to:

1. Engage in the selling of COVID-19 vaccines owned by or donated to the government within the territorial jurisdiction of the City of Alaminos, Pangasinan;
2. Engage in the selling or offering for sale COVID-19 vaccines which are under EUA;
3. Promise or provide vaccination slots or schedules in exchange for valuable consideration.

SECTION 3. IMPLEMENTING AGENCY. — The Philippine National Police (PNP), in coordination with the Public Order and Safety Office (POSO), shall be tasked to ensure the strict implementation of this Ordinance.

SECTION 4. PENALTY. — Any person or entity found guilty of violating any provision of this ordinance by a court of competent jurisdiction shall be penalized with a fine of Five Thousand Pesos (PhP 5,000.00) and imprisonment of up to six (6) months.

If the offender is a juridical person, its president, director, head, or responsible officer shall be liable for the penalties prescribed herein.

(Handwritten signatures of councilors and officials)

(Handwritten signature on the right margin)



(Cont. Ord. No. 2021-31, enacted on 21st day of September, 2021)

-page 3 of 3-

SECTION 5. SEPARABILITY CLAUSE. — If any provision of this Ordinance is declared invalid or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.


SECTION 6. EFFECTIVITY. — This Ordinance shall take effect within fifteen (15) days after its publication in a newspaper of general circulation.

SO ORDAINED/ENACTED.....

I HEREBY CERTIFY to the correctness of the foregoing ordinance consisting of three (3) pages including this page.



LUZ B. VALE
 Secretary

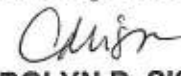
ATTESTED:



JOSE ANTONIO MIGUEL Y. PEREZ
 City Vice Mayor/Presiding Officer



APOLONIA G. BACAY
 Presiding Officer Pro-Tempore



CIRILO B. RADOC
 Majority Floor Leader

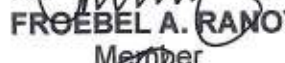

OSCAR A. BOLING
 Minority Floor Leader



CAROLYN D. SISON
 Member


MICHELLE S. SEGUNDERA
 Member



JOSELITO O. FONTELERA
 Member


VERNA S. D. RABAGO
 Member


FRÖEBEL A. RANOY
 Member



DAHLIA M. DE LEON
 Member


ALFRED FELIX E. DE CASTRO
 Member


RAUL B. BACAY, LBP
 Ex-Officio Member


LOVERLY V. BERNABE, PPSKP
 Ex-Officio Member

APPROVED BY:


ARTH BRYAN C. CELESTE
 City Mayor

10/18/21
 Date