



A PRIMER FOR REPUBLIC ACT NO. 11469

“THE BAYANIHAN TO HEAL AS ONE ACT”

and related laws and issuances

WHAT ARE THE BENEFITS PROVIDED BY THE LAW?



FOR LOW INCOME HOUSEHOLDS

SOCIAL AMELIORATION PROGRAM

- An emergency subsidy in the form of cash or non-cash subsidy given to low income household in the amount of at least Php 5,000.00 to Php 8,000.00 per month for two months, for basic food, medicine, and toiletries. [Sec. 5.1 of Joint Memorandum Circular No. 1-2020 in relation to Sec. 4(c)]

ASSITANCE TO INDIVIDUAL CRISIS SITUATION (AICS)*

- Cash assistance of Php 3,000.00 given for the basic needs of the family.
- Burial assistance amounting to Php 25,000.00 for the death of a family member due to COVID-19. [Sec. 7.2 of Joint Memorandum Circular No. 1-2020 in relation to Sec. 4(v)(8).

*integrated service of the DSWD; budget prioritization under the Bayanihan Act

LIVELIHOOD ASSISTANCE GRANTS (LAG) *

- Financial assistance with a maximum of Php 15,000 given to eligible families having at least one member who is a worker in the informal sector displaced by reason of the declaration of community quarantine. [Sec. 7.3 of Joint Memorandum Circular No. 1-2020 in relation to Sec. 4(v)(8).

*core program of the DSWD; budget prioritization under the Bayanihan Act

EXPANDED AND ENHANCED PANTAWID PAMILYANG PILIPINO PROGRAM (4Ps) *

- Assistance given for a period of two months to qualified families in an amount adequate to restore capacity to purchase basic food and other essential items. [Sec. 7.12 of Joint Memorandum Circular No. 1-2020 in relation to Sec. 4(cc)]

*Conditional Cash Transfer Program of the DSWD

WHAT ARE THE BENEFITS PROVIDED BY THE LAW?



FOR HEALTH WORKERS

Special Risk Allowance for *public health workers* [Sec. 4(d)]

Hazard pay granted under the Magna Carta of *Public Health Workers* [Sec. 4(d)]

Medical expenses to be shouldered by PHILHEALTH in case of exposure to COVID-19 or work-related injury or disease during the duration of the emergency for *public and private health workers* [Sec. 4(e)]

Compensation amounting to Php 100,000.00 for *public and private health workers* who may contract severe COVID-19 infection while in line of duty (with retroactive application from February 1, 2020) [Sec. 4(f)]

Compensation amounting to Php 1,000,000.00 for *public and private health workers* who may die while fighting the COVID-19 pandemic (with retroactive application from February 1, 2020) [Sec. 4(f)]

WHAT ARE THE BENEFITS PROVIDED BY THE LAW?



FOR EMPLOYEES/WORKERS, IN GENERAL

1. TULONG PANGHANAP-BUHAY SA ATING DISPLACED/DISADVANTAGE WORKERS BARANGAY KO, BAHAY KO DISINFECTION/SANITATION PROJECT (TUPAD #BKBK)*

- ✓ Paid work given to qualified beneficiaries for the disinfection or sanitation of their houses or dwellings and the immediate vicinity. They are required to work for four (4) hours a day for a maximum of ten (10) days and will be paid wages equivalent to 100% of the prevailing highest minimum wage in the region. *[Sec. 5.9 of Joint Memorandum Circular No. 1-2020, in relation to Sec. 4(v)(4)].*

2. COVID-19 Adjustment Measures Program (CAMP)*

- ✓ A one-time lump-sum, non-conditional financial assistance amounting to Php 5,000.00 provided to affected formal sector workers, regardless of employment status. *[Sec. 5.8 of Joint Memorandum Circular No. 1-2020, in relation to Sec. 4(v)(4)].*

WHAT ARE THE BENEFITS PROVIDED BY THE LAW?



FOR THE PUBLIC, IN GENERAL

1. A minimum 30-day grace period for payment of loans* without incurring interests, penalties, fees or other charges [Sec. 4(aa)]; and
2. A minimum 30-day grace period for payment on residential rents* without incurring interests, penalties, fees and other charges [Sec. 4(bb)].

*falling due within the period of the enhanced community quarantine

WHAT ARE THE OBLIGATIONS IMPOSED ON THE PRIVATE SECTOR?



Privately-owned hospitals and medical health facilities

May be required:

- To house health workers
- To serve as quarantine areas, quarantine centers, medical relief and aid distribution locations, or other temporary medical facilities [Sec. 4(h)]

Public Transport Operators

May be required:

- To ferry health, emergency and frontline personnel and other persons [Sec. 4(h)]

Banks, quasi-banks, financing and lending companies, and other financial institutions

- To implement a minimum of 30-day grace period for the payment of all loans without incurring interests, penalties, fees or other charges [Sec. 4(aa)]

WHAT ARE THE OBLIGATIONS IMPOSED ON PRIVATE SECTORS?



Banks, quasi-banks, financing and lending companies, and other financial institutions

- The **grace period may be extended** for another 30 days if the EQC period is extended *[Sec. 4(aa) in relation to Sec. 3.01 of the Implementing Rules and Regulations]*
- This grace period shall **apply to all loans** granted to individuals, households, MSMEs, corporate borrowers, and other counterparties, including multiple loans, *(Secs. 4.01 and 4.02 of the Implementing Rules and Regulations)*
- Lenders are **prohibited from requiring their clients to waive the mandatory grace period**. *(Sec. 3.03 of the Implementing Rules and Regulations);*
- **No additional DST shall be imposed** as a consequence of availing the 30-day grace period. Likewise, no DST shall be imposed on credit card extensions and credit restructuring, micro-lending and extensions thereof during the EQC period. *(Sec. 5.01 of Implementing Rules and Regulations);*
- The **accrued interest** for the 30-day grace period **may be paid by the borrower on staggered basis** over the remaining life of the loan **or in full** on the new date after application of the grace period or extended grace period *(Sec. 5.02 of the Implementing Rules and Regulations).*

WHAT ARE THE OBLIGATIONS IMPOSED ON THE PRIVATE SECTOR?



Lessors of residential buildings

- To provide a minimum 30-day grace period on residential rents falling due within the enhanced community quarantine without incurring interests, penalties, fees or other charges. *[Sec. 4(bb)]*

Business, in general

- To prioritize and accept contracts, subject to fair and reasonable terms, for materials and services necessary to promote the declared national policy of the law. *[Sec. 4(q)]*

Employers

- *May* provide alternative working arrangements to its employees. *[Sec. 4(t)]*

WHAT ARE THE INCENTIVES GIVEN TO PRIVATE BUSINESSES?



- The President may authorize the liberalized grant of incentives for businesses engaged in the manufacture or importation of critical or needed healthcare equipment and supplies. The importation of theses equipment and supplies shall be exempt from import duties, taxes, and other fees. *[Sec. 4(o)]*

IS THERE AN EXTENSION FOR THE FILING/SUBMISSION OF DOCUMENTS OR THE PAYMENT OF TAXES WITH RESPECTIVE GOVERNMENT AGENCIES?



- The President is authorized to move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit. [Sec. 4(z)] Below is a compilation of suspensions/extensions brought about by COVID-19:

Branch/Government Agency	Source Link
All Courts	<ol style="list-style-type: none"> Suspension of Hearings and Extension for Court Submissions http://sc.judiciary.gov.ph/11037/
Bureau of Internal Revenue	<ol style="list-style-type: none"> Extension of Deadlines for Filing of Documents and Payment of Taxes: https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%202020/RR%20No.%207-2020.pdf Extension to Avail of Tax Amnesty: https://www.bir.gov.ph/images/bir_files/internal_communications_1/Full%20Text%20RR%202020/RR%205-2020.pdf Suspension of Period for the BIR to Assess and Collect Taxes: https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2034-2020.pdf Extension to File Certificate of Residency for Tax Treaty Relief (CORTT): https://www.bir.gov.ph/images/bir_files/internal_communications_2/RMCs/2020%20RMCs/RMC%20No.%2032-2020.pdf

IS THERE AN EXTENSION FOR THE FILING OF GOVERNMENT REQUIREMENTS WITH RESPECTIVE GOVERNMENT AGENCIES?



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Government Agency	Source Link
Bureau of Customs	<ol style="list-style-type: none"> Suspension of Conduct of Hearings in all Forfeiture Proceedings: http://customs.gov.ph/wp-content/uploads/2020/03/ocom-54-2020-Conduct of Hearing in Light of COVID-19 Travel Restrictions.pdf Suspension of the 7-day period to Lodge Goods Declaration: http://customs.gov.ph/wp-content/uploads/2020/03/ocom-memo-60-2020-Suspension of 7 day Period-to Lodge Goods.pdf
Securities and Exchange Commission (SEC)	<ol style="list-style-type: none"> Suspension of Hearings/ Conferences; Extension to File Appeals, Motions and Pleadings: http://www.sec.gov.ph/wp-content/uploads/2020/03/2020Notice_OGC-Postponement.pdf Extension to File Annual Reports and/or Audited Financial Statements; Dispensation to Submit Certain Documentary Requirements: http://www.sec.gov.ph/wp-content/uploads/2020/03/2020Notice_Notice-on-MC-No-5-series-of-2020-Final.pdf Extension of Deadline for the Submission of the Mandatory Disclosure Form (MDF): http://www.sec.gov.ph/wp-content/uploads/2020/04/2020Notice_Deadline-for-Submission-of-MDF-to-April-30-2020_final.pdf

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Government Agency	Source Links
Land Transportation Office (LTO)	1. Waiver of Penalties for Late Registration of Motor Vehicles/Renewal of Driver's Licenses; Extension of Validity of Student Permits; Non-Suspension of Temporary Operator's Permits: https://www.lto.gov.ph/latest-issuance/474-memorandum-non-collection-of-penalties-and-extension-of-validity-of-driver-s-licenses-registration-and-other-permits-and-clearances.html
Bureau of Immigration (BOI)	1. Extension to File Visas for Aliens: http://immigration.gov.ph/images/Advisory/2020/03_Mar/2020Mar27_advisory.pdf
Department of Trade and Industry (DTI)	1. Suspension of DTI Services: https://www.dti.gov.ph/advisories/notice-to-the-public-suspension-of-dti-services/

WHAT ARE THE PROHIBITED ACTS UNDER THIS ACT?



The following are punishable under Sec. 6 of the Bayanihan Act:

1. **Disobedience by LGU officials** to complying with national government policies or directives in imposing quarantines;
2. **Unjustifiable refusal to operate** by owners and possessors of privately-owned hospitals, medical and health facilities, including passenger vessels, and other establishments pursuant to the directive of the President;
3. Engaging in **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;
4. **Refusal to prioritize and accept contracts** for materials and services necessary to promote the herein declared national policy;

WHAT ARE THE PROHIBITED ACTS UNDER THIS ACT?



The following are punishable under Sec. 6 of the Bayanihan Act:

5. **Refusal to provide the thirty (30)-day grace periods** provided under Section 4;
6. **Perpetration or spreading of false information** by individuals or groups regarding the COVID-19 crisis on social media and other platforms, such information having no valid or beneficial effect on the population, and are clearly geared to promote chaos, panic, anarchy, fear, or confusion; and those participating in cyber incidents that make use or take advantage of the current crisis situation to prey on the public through scams, phishing, fraudulent emails, or other similar acts;
7. **Failure to comply with the reasonable limitations on the operation of certain transportation sector** or sectors, whether land, sea or air, be it private or public; and
8. **Impeding access** to roads, streets and bridges; putting-up prohibited encroachments or obstacles; and maintenance of illegal constructions in public places that have been ordered to removed.

WHAT IS THE PENALTY FOR THE VIOLATION OF THIS ACT?



- **Imprisonment** of 2 months or **Fine** of not less than Php10,000.00 but not more than Php1,000,000.00, or **Both**

- **Additional Penalties** for the following individuals:
 - a. If the offender is an ***Alien***, he shall be deported without further proceedings
 - b. If the offender is a ***public official or employee***, he shall suffer perpetual or temporary absolute disqualification from office, as the case may be.

WHAT IF THE OFFENDER IS A CORPORATION, ASSOCIATION, PARTNERSHIP OR ANY OTHER JURIDICAL PERSON, WHO SHALL BE HELD LIABLE?



- The *president, directors, managers, managing partners* who participated in the commission of the offense or who shall have knowingly permitted or failed to prevent the commission of the same, shall be held liable.

DISCLAIMER



This primer is intended for general discussion purposes of LMA Law employees only. You should not rely on the contents herein without having sought professional advise beforehand.

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