

S. No. 2749
H. No. 6116

Republic of the Philippines
Congress of the Philippines

Metro Manila

Twelfth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand three.



[REPUBLIC ACT NO. 9271]

AN ACT STRENGTHENING THE REGULATORY CAPACITY OF THE DEPARTMENT OF HEALTH IN QUARANTINE AND INTERNATIONAL HEALTH SURVEILLANCE, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 123 OF 1947, AS AMENDED

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title.* - This Act shall be known as the "Quarantine Act of 2004."

SEC. 2. *The Bureau of Quarantine.* - The Bureau of Quarantine under the Department of Health (DOH), with the category of a first-class line bureau, shall have a nationwide scope of function and international commitment in accord with the International Health Regulations (IHR) of the World Health Organization (WHO).

SEC. 3. *Jurisdiction and Functions of the Bureau.* - The examination at ports of entry and exit in the Philippines of incoming and outgoing vessels and aircraft, the necessary surveillance over their sanitary conditions, as well as over their cargoes, passengers, crews, and all personal effects, and the issuance of quarantine certificates, bills of health, or other equivalent documents shall be vested in and be conducted by the Bureau. This Bureau shall have authority over incoming vessels and outgoing vessels both domestic and foreign, including those of the army and navy, their wharfage and anchorage, and over aircraft and airports, insofar as it is necessary for the proper enforcement of the provisions of this Act.

SEC. 4. *Authority to Promulgate and Enforce Rules and Regulations and Provide Penalties for Their Violations.* - (a) The Director of the Bureau with the approval of the Secretary of Health, is authorized to promulgate and enforce rules and regulations as in his judgment are necessary to prevent the introduction, transmission or spread of "public health emergencies of international concern" from foreign countries into the Philippines or from one (1) domestic seaport/airport to another. For purposes of implementing these regulations, the Director of the Bureau may provide intervention strategies such as health education and advisories, inspections, fumigation, disinfection, pest extermination, vaccination for international travel, medical examination of aliens/foreigners for immigration purposes and destruction of animals or articles found to be infected or contaminated as to be sources of infection to human beings in coordination with other concerned quarantine agencies such as veterinary quarantine, plant quarantine, etc. and other measures as in his judgment may be necessary.

(b) Regulations prescribed under this section shall provide for the apprehension, detention or surveillance for the purpose of preventing the introduction, transmission or spread of such public health emergencies of international concern as may be specified from time to time in Department Orders by the Secretary of Health upon the recommendation of the international health surveillance.

(c) Whenever it is deemed necessary for the protection of the public health of the nation from public health emergencies of international concern, immunization and other preventable measures against these diseases shall be mandatory on all persons arriving at any seaport/airport of entry in the Philippines.

(d) The Secretary of Health upon the recommendation of the Director of the Bureau may prescribe examination of any individual believed to be infected with a disease of international concern on board vessels and aircraft entering any seaport or airport in the Philippines. Such rules and regulations may provide that if upon examination, any such individual is found to be infected or has been exposed to infection considered as dangerous contact, he may be isolated aboard a vessel, in a hospital with facilities for infectious diseases, at a quarantine station, or at any isolation facility, and in such a manner as may be prescribed by the said regulations.

SEC. 5. Prohibition of Entry of Hazardous Cargo and Materials. - Whenever the Director of the Bureau determines that there is an existence of any public health emergency of international concern in a foreign country and that there is imminent danger of the introduction of hazardous cargoes or materials into the Philippines, he, in coordination with the Bureau of Customs and other concerned agencies, may recommend to the President, through the Secretary of Health, the prohibition of its entry for public health interest.

SEC. 6. Quarantine Stations. - The Director of the Bureau shall control, direct and manage all quarantine stations, grounds and anchorages, and designate their boundaries. With the approval of the Secretary of Health, he shall establish such additional quarantine stations, grounds and anchorages if, in his judgment, these are necessary to prevent the introduction of diseases of international concern into the country. The Director, in the same manner may also order the closure of non-functional quarantine stations, grounds and anchorages.

SEC. 7. Quarantine Documents/Clearances of Vessels and Aircraft. - (a) All vessels or aircraft from foreign ports arriving at any port of the Philippines shall be required to submit the required maritime declaration of health/general declaration and other documents as prescribed by the regulations.

(b) All ocean-going vessels or international aircraft from foreign seaports/airports calling at any seaport or airport in the Philippines to disembark its passengers or discharge its cargo, or for other purposes must secure a quarantine clearance in compliance with the health regulations. This quarantine certificate/clearance (*Pratique*) shall be a prerequisite to customs clearance.

(c) After compliance with the quarantine laws and regulations, all vessels or aircraft leaving any seaport or airport of the Philippines shall secure quarantine outgoing clearance. This certificate/clearance shall also be a prerequisite to customs clearance of outgoing vessels and aircraft.

SEC. 8. *Penalties.* - (a) Any person who violates any regulation prescribed in this Act shall forfeit to the Bureau of Quarantine a fine of not less than Ten thousand pesos (P10,000.00) but not more than Fifty thousand pesos (P50,000.00) or be imprisoned for not more than one (1) year or both at the discretion of the court of competent jurisdiction.

(b) Any vessel or aircraft that violates any provision of this Act shall forfeit to the Bureau of Quarantine a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00).

SEC. 9. *Authority to Utilize Income.* - The Bureau of Quarantine shall be authorized to use at least fifty percent (50%) of the income generated, subject to accounting and auditing rules and regulations.

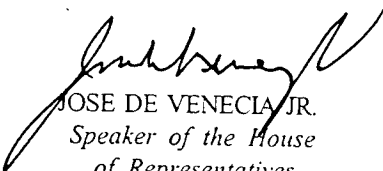
SEC. 10. *Implementing Rules and Regulations.* - The DOH shall promulgate the implementing rules and regulations of this Act within sixty (60) days after the enactment of this Act.

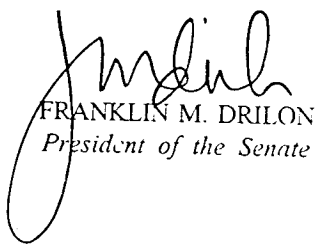
SEC. 11. *Separability Clause.* - In the event any provision of this Act or the application of such provision to any person or circumstances is declared invalid, the remainder of this Act or the application of said provisions to other persons or circumstances shall not be affected by such declaration.

SEC. 12. *Repealing Clause.* - Republic Act No. 123 of 1947, as amended, and all acts, rules and regulations regarding foreign and local quarantine not consistent with this Act are hereby repealed.

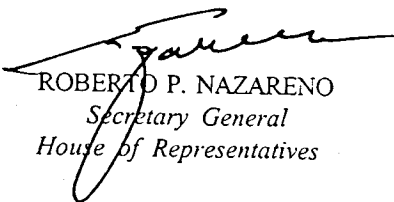
SEC. 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.


Approved,


JOSE DE VENEZIA JR.
*Speaker of the House
of Representatives*

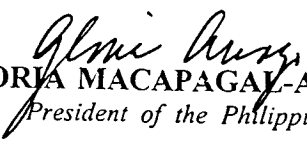

FRANKLIN M. DRILON
President of the Senate

This Act which is a consolidation of S. No. 2749 and H. No. 6116 was finally passed by the Senate and the House of Representatives on February 6, 2004 and February 7, 2004, respectively.


ROBERTO P. NAZARENO
*Secretary General
House of Representatives*


OSCAR G. YABES
Secretary of the Senate

Approved: **MAR 19 2004**


GLORIA MACAPAGAL-ARROYO
President of the Philippines

