

**Republika ng Pilipinas**  
**LALAWIGAN NG SURIGAO DEL SUR**  
**TANDAG CITY**

**Tanggapan ng Sangguniang Panlalawigan**  
(Office of the Provincial Council)

**EXCERPT FROM THE MINUTES OF THE 35<sup>th</sup> REGULAR SESSION OF THE 19<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF SURIGAO DEL SUR HELD AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL, LEGISLATIVE BUILDING, CAPITOL HILLS, CITY OF TANDAG, PROVINCE OF SURIGAO DEL SUR ON MARCH 31, 2020**

**PRESENT:**

Hon. Librado C. Navarro - Vice Governor  
(Presiding Officer)

**Regular Sangguniang Panlalawigan Members:**

**District I**

Hon. Ruel D. Momo  
Hon. Manuel O. Alameda, Sr.  
Hon. Henrich M. Pimentel  
Hon. Valerio T. Montesclaros, Jr.

**District II**

Hon. Conrad C. Cejoco  
Hon. Margarita G. Garay  
Hon. Gines Ricky J. Sayawan, Sr.  
Hon. Raul E. Millan  
Hon. Raineria M. Nazareno

**Ex – Officio Members:**

Hon. Jimmy I. Guinsod - Indigenous Peoples Mandatory  
Representative, Surigao del Sur

Hon. Charles P. Arreza - President, Panlalawigang Pederasyon  
ng mga Sangguniang Kabataan

**ABSENT:**

**On Sick Leave:**

Hon. Glenn P. Plaza - Member, Sangguniang Panlalawigan

Hon. John Paul C. Pimentel - President, Philippine Councilors'  
League, Surigao del Sur Chapter

**On Special Privilege Leave:**

Hon. Maria Lourdes Kharin C. Momo - President, Provincial Chapter  
of the Liga ng mga Barangay  
sa Pilipinas

**ORDINANCE NO. 32-20**  
(dated March 31, 2020)

**A UNIFIED PROVINCIAL ORDINANCE IMPOSING 9:00 PM TO 4:00 AM CURFEW HOURS IN THE ENTIRE PROVINCE OF SURIGAO DEL SUR AS A MEASURE TO ADDRESS THE CONTINUOUS THREAT OF TRANSMISSION OF CORONA VIRUS DISEASE-2019 (COVID-19) AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**



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**AUTHOR:**

**HON. HENRICH M. PIMENTEL**

**SECONDER:**

**UNANIMOUS**

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**WHEREAS**, Section 2 of R.A. 11332 otherwise known as "An Act Providing Policies and Prescribing Procedures on Surveillance and Response to Notifiable Diseases, Epidemics, and Health Events of Public Health Concern, and Appropriating Funds Therefore, Repealing for the Purpose Act No. 3573, otherwise known as the "Law on Reporting of Communicable Diseases" states that, "it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. It shall endeavor to protect the people from public health threats through the efficient and effective disease surveillance of notifiable diseases including emerging and re-emerging infectious diseases, diseases for elimination and eradication epidemics and health events including chemical, radio-nuclear and environmental agents of public health concern and provide an effective response system in compliance with 2005 International Health Regulations (IHR) of the World Health Organization (WHO)";

**WHEREAS**, Section 15, Article II of the 1987 Constitution provides that, "the state shall protect and promote the right to health of the people and instill health consciousness among them";

**WHEREAS**, Section 16 of Republic Act No. 7160 otherwise known as, "The Local Government Code of 1991" states that, "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare within their respective territorial jurisdiction, local government units shall ensure and support the promotion of health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants";

**WHEREAS**, the World Health Organization (WHO) declared COVID-19 as pandemic which caused the Department of Health (DOH) to raise Code Alert System for COVID-19 to Alert Level 4 Code Red Sub Level 2, after confirming that the number of cases of local transmission in the country continue to rise despite government interventions;

**WHEREAS**, by virtue of Proclamation No. 922 dated March 8, 2020, President Rodrigo Roa Duterte declared the Philippines under a State of Public Health Emergency and thereafter on March 23, 2020, the Philippine Congress approved a Bill declaring a National Emergency due to the escalating spread of Corona Virus Disease-19;

**WHEREAS**, the alarming continued daily increase of confirmed positive COVID-19 cases calls for a decisive urgent action otherwise, the entire nation specifically the constituents of Surigao del Sur will be further exposed to the danger of said Virus;

**WHEREAS**, anent to this, Executive Order No. 13 dated March 11, 2020 entitled "Institutionalization of Precautionary Measures to Prevent Spread of 2019 Novel Corona Virus Acute Respiratory Disease (2019-nCoV ARD), also known as Coronavirus Disease 2019 (COVID 19), and Strengthening the Health Surveillance System of the Province of Surigao del Sur", and Executive Order No. 14 dated March 20, 2020 entitled "Placing the Entire Province of Surigao del Sur Under Preventive Community Quarantine to Avert the Local Transmission of Corona Virus Disease 19 (COVID-19)", were issued by Hon. Alexander T. Pimentel, Provincial Governor, this Province;



**NOW THEREFORE**

**BE IT ORDAINED BY THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF SURIGAO DEL SUR IN A SESSION ASSEMBLED:**

**SECTION 1. Title.** This Ordinance shall be known as "A Unified Provincial Ordinance Imposing 9:00 PM to 4:00 AM Curfew Hours in the Entire Province of Surigao del Sur as a Measure to Address the Continuous Threat of Transmission of Corona Virus Disease-2019 (COVID-19) and Providing Penalties for Violations Thereof";

**SECTION 2. Principle.** It is hereby declared that the policy of the Province of Surigao del Sur is to promote and protect the health and welfare of its citizens, residents and inhabitants against the spread or local transmission of emerging infectious diseases such as the Corona Virus Disease-2019 (COVID-19) through the imposition of curfew to restrict the non-essential movement of the people within the Province of Surigao del Sur.

**SECTION 3. Curfew.** There is hereby strictly imposed curfew hours from 9:00 o'clock in the evening to 4:00 o'clock in the morning in the entire Province of Surigao del Sur.

**SECTION 4. Coverage of the Curfew.** Within such curfew hours, no person shall be allowed in any public place such as, but not limited, to roads and streets, parks and plazas, commercial establishments or any building or structure catering to the general public.

**SECTION 5. Exemptions.** This Ordinance shall not apply to the following:

- a. individuals who are travelling for purposes of medical interventions, provided that medical documents are presented;
- b. individuals who bring in and out the province all kinds of foods, medicines, and water supplies;
- c. individuals who transport petroleum products and other basic commodities;
- d. individuals carrying out existing government contracts and projects
- e. drivers of armored cars from any financial institution transporting money to banks;
- f. AFP and PNP Troops, Bureau of Fire Protection and Philippines Coast Guard;
- g. medical/health personnel doing their official duties such as employees of the Department of Health, DOH Hospitals, Hospitals of Local Government Units, and Provincial, City, and Rural Health Units; Private Health Workers, such as but not limited to medical professionals, hospital administrative staff and aides from private health facilities, as well as their service providers;
- h. all Provincial/City/Municipality/Barangay Risk Reduction and Management Office (P/M/B RRMO) personnel who are responding to emergencies;

- i. members of Task Force COVID-19 in the province when doing their mandated jobs; and
- j. vehicles travelling with Food Lane Pass issued by the Department of Agriculture.

**SECTION 6. Implementation/Enforcement.** This Ordinance shall be implemented by the City/Municipality/Barangay Local Chief Executives, City/Municipal Social Welfare and Development Office, Members of the Philippine National Police and Barangay Officials with their Barangay Tanods in the Province of Surigao del Sur.

**SECTION 7. Guidelines in Apprehension.** Offenders of this Ordinance shall be apprehended in accordance with the following guidelines:

1. Apprehending Officers shall wear their uniforms and proper identification at all times while on duty;
2. Apprehending Officers shall without necessary delay, accompany the offenders to the barangay where they reside and endorse them to the Punong Barangay for proper recording;
3. Should the violators escape from the apprehending officer, he/she shall be sanctioned with penalties under Section 8 of this Ordinance;
4. In case the violator is a minor, he shall be brought by the Apprehending Official or Officer to the Barangay which has jurisdiction over the minor's place of residence for proper recording and counseling by the Barangay Council for the Protection of Children (BCPC) before the minor is turned over or released to his parents or guardian/s. Prior to his release, the parent or guardian shall be informed of the consequences in the event that their minor is re-arrested for the same offenses as provided in Section 8 of this Ordinance; and
5. Any homeless, abandoned or neglected persons found in violation of this Ordinance shall be brought to the City/Municipal Social Welfare and Development Officer within twelve (12) hours from apprehension following the usual procedure of the above-mentioned office.

**SECTION 8. Penalties.** Any person found violating this Ordinance shall be meted with the following penalty:

1. **First Offense** : Imprisonment of one (1) month to four (4) months, or a fine of ₱1,000.00, or both at the discretion of the Court;
2. **Second Offense** : Imprisonment of four (4) months and one (1) day to eight (8) months, or a fine of ₱3,000.00, or both at the discretion of the Court;
3. **Third Offense** : Imprisonment of eight (8) months and one (1) day to one (1) year, or a fine of ₱5,000.00, or both at the discretion of the Court.



**SECTION 9. Separability Clause.** All Ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 10. Effectivity.** This Ordinance shall take effect upon its approval and until such time that the State of Public Health Emergency will be lifted by the President of the Philippines or the Provincial Task Force Covid-19 of the Province of Surigao del Sur recommends for the lifting of this Ordinance.

**ENACTED** by the 19<sup>th</sup> Sangguniang Panlalawigan of the Province of Surigao del Sur, this 31<sup>st</sup> day of March 2020 at the City of Tandag, Province of Surigao del Sur.

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**I HEREBY CERTIFY** to the correctness of the foregoing Ordinance.

  
**MONALISA CANEDO-SU**  
Secretary to the Sangguniang Panlalawigan

**ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:**

  
**LIBRADO C. NAVARRO**  
Vice Governor  
(Presiding Officer)

**APPROVED:**

  
**ALEXANDER T. PIMENTEL**  
Provincial Governor

Date: APRIL 3, 2020