



EXCERPT FROM THE MINUTES OF THE 112<sup>TH</sup> REGULAR SESSION AND 9<sup>TH</sup> ONLINE SESSION OF THE 4<sup>TH</sup> SANGGUNIANG PANLUNGSOD (SP) HELD AT CITY OF NAGA, CEBU ON SEPTEMBER 24, 2021.

**PRESENT:**

- |                              |  |
|------------------------------|--|
| HON. VIRGILIO M. CHIONG      | - Vice Mayor /Presiding Officer                                  |
| HON. JUSTINO L. DAKAY        | - Majority Floor Leader  |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. AURELIO B. ALINSONORIN  | - Sangguniang Panlungsod Member                                  |
| HON. AFSHIN MARK K. SEÑOR    | - Sangguniang Panlungsod Member                                  |
| HON. CHARMAINE R. NAVARRO    | - Sangguniang Panlungsod Member                                  |
| HON. PORFERIO V. RESABA, JR. | - Sangguniang Panlungsod Member                                  |
| HON. DOMINADOR A. LIBOR      | - Sangguniang Panlungsod Member                                  |
| HON. LUZMINDA R. LAPITAN     | - Sangguniang Panlungsod Member                                  |
| HON. LETECIA F. ABANGAN      | - Sangguniang Panlungsod Member                                  |
| HON. RAY A. MANABAT          | - Sangguniang Panlungsod Member                                  |
| HON. CLINT ISIDRO A. CHIONG  | - Sangguniang Panlungsod Member                                  |
| HON. JHUN MARK T. SISMAR     | - SK Federation President  |

**ORDINANCE NO. 2021-76**

**Hon. Luzminda R. Lapitan - Sponsor**  
*Chairperson, Committee on Public Health and Sanitation*



**PROHIBITING THE UNAUTHORIZED SALE, DISTRIBUTION OR ADMINISTRATION OF COVID-19 VACCINES OR VACCINE SLOTS, FALSIFICATION OF COVID-19 VACCINATION CARDS, AND OTHER RELATED FRAUDS, AND PROVIDING PENALTIES THEREFOR**

**EXPLANATORY NOTE**

The State recognizes public health emergencies, including pandemics, as threats to public health and national security, which can undermine its social, economic, and political functions.

Likewise, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, gives the local government units the implied power to do all things necessary, appropriate or incidental to govern efficiently and effectively, promote the general welfare, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

The Department of Interior and Local Government (DILG) issued an advisory dated July 16, 2021 enjoining all LGUs to enact an ordinance penalizing those, who without authority, sell COVID-19 vaccines owned or donated to the government, or promise to provide vaccination slots in exchange for valuable consideration.

The DILG's action came amid reports of rampant vaccine-for-sale schemes, tampering or falsification of vaccine cards, offering of vaccine slots or schedules for profit, as well as the sale, manufacture and proliferation of fake COVID-19 vaccines.

The DILG emphasizes that no person or organization may engage in the sale, distribution, or administration of COVID-19 vaccines for profit, while the country is in a state of public health emergency and without the authority from the Food and Drug Administration.

**BE IT ORDAINED**, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga Cebu, in a session duly assembled, that:

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as "**PROHIBITING COVID-19 VACCINE FRAUD.**"

**SECTION 2. PROHIBITED ACTS.** The following acts shall be penalized under this Ordinance.

1 | **ORDINANCE NO. 2021-76 PROHIBITING COVID 19 VACCINE FRAUD**

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1. Counterfeiting, forging, altering or imitating a vaccine card, or any information, signature, seal or feature of the same;
2. Misrepresenting any information requested by authorities in relation to vaccination, including the information indicated in the vaccine card for purposes of obtaining undue benefits or privileges;
3. Sale, advertisement, distribution, solicitation or administration of fake or adulterated COVID-19 vaccines;
5. Sale of COVID-19 vaccine slots or schedules;
6. Misrepresentation of vaccine status for purposes of fraud or deceit, including a fully-vaccinated person posing as unvaccinated for purposes of receiving additional unwarranted inoculations;
7. Commission of any other deceit or fraud in relation to the government's COVID-19 vaccination program; and.
8. Sale, advertisement, distribution, administration of COVID-19 Vaccines without a valid Emergency Use Authorization (EUA).

**SECTION 3. PENALTIES.** Any person that violates this Ordinance shall be penalized with a fine of P5,000.00 and/or imprisonment of up to six (6) months.

If the violation is committed by a corporation or other juridical entity, the directors, officers, employees or other officers thereof responsible for the violation shall be charged and penalized. Further, the City Government may summarily revoke the business license of the offending entity.

This Ordinance is without prejudice to the filing of charges for violation of R.A. No. 9771 otherwise known as the "Food and Drug Administration Act of 1991", the Revised Penal Code, and other appropriate administrative, civil, or criminal charges under applicable laws.

**SECTION 4. ENFORCEMENT.** The City of Naga, Cebu PNP, the local anti-COVID-19 Task Force, the Punong Barangay, members of the Sangguniang Barangay and tanods, are hereby authorized to enforce this Ordinance.

**SECTION 5. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected thereby shall remain valid and subsisting


**SECTION 6. REPEALING CLAUSE.** All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 7. EFFECTIVITY.** This Ordinance shall take effect upon approval and compliance with all the pertinent requirements as mandated by law.

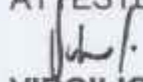
**ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF NAGA, CEBU,** in its Regular Session held on the 24<sup>th</sup> day of September 2021.

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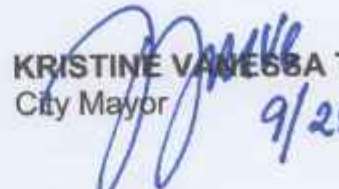
CERTIFIED TRUE AND CORRECT:

  
**GARRY A. CABOTAJE**  
 Secretary to the Sanggunian

ATTESTED BY:

  
**VIRGILIO M. CHIONG**  
 Vice Mayor/Presiding Officer

APPROVED BY:

  
**KRISTINE VANESSA T. CHIONG**  
 City Mayor

9/28/2021