

## **DEFINING THE POWERS, FUNCTIONS, AND RESPONSIBILITIES OF GOVERNMENT AGENCIES IN RESPONSE TO AVIAN INFLUENZA (AI) OR BIRD FLU VIRUS AND RELATED MATTERS THERETO**

*EXECUTIVE ORDER NO. 280, February 05, 2004*

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WHEREAS, due to an outbreak of Avian Influenza (AI), otherwise referred to as the Bird Flu virus, which has affected many countries in Asia, including the deaths of at least twelve people in Vietnam and Thailand, bold, preemptive, active and immediate measures must be taken by the Philippines in order to avert or minimize its grave effects;

WHEREAS, in the event the epidemic can no longer be prevented and in order to confine, minimize, restrict, or regulate the further spread of the contagion, such measures and actions relative to fowl, poultry, other birds or animals and people, infected or suspected to be infected with the virus need to be implemented;

WHEREAS, Article II, Section 15 of the Constitution provides that the State shall protect and promote the health of the people and instill health consciousness among them;

WHEREAS, from past experiences with the SARS virus, effective prevention and containment procedures, guidelines, and strict implementation contributed to the success of the Philippines in minimizing the effects and mortality of said virus;

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby direct and order that:

SECTION 1. Crisis Manager - The Secretary of Health is hereby designated Over-all Crisis Manager for the Avian Influenza or Bird Flu Virus pandemic influenza.

The Department of Agriculture, through the Secretary of Agriculture, is hereby designated as Co-Manager for matters pertaining or primarily affecting poultry, birds, other fowl, and any other animal, including their by-products.

SECTION 2. Delineation of Powers and Authority - The Secretary of Health is hereby granted and bestowed such powers and authority as would be necessary in order to prevent, restrict, or otherwise regulate the entry, movement, or surveillance of people coming from infected countries or in any instance where the highly pathogenic avian influenza has infected, or suspected to have infected, humans.

The Secretary of Agriculture is hereby granted and bestowed such powers and functions as would be necessary in order to contain, control, prevent, regulate and otherwise restrict the entry, movement, proliferation, of poultry, fowl, birds, and other animals, including their by-products, which are infected, or suspected to be, infected or potential carrier of the Avian influenza virus.

SECTION 3. The Secretary of Health: Specific Area of Concern and Responsibility - The Secretary of Health shall exercise such powers and prerogatives, incidental or otherwise, as would:

- Prevent, minimize, regulate, or otherwise restrict the entry of the avian flu virus, through the Bureau of

Quarantine and International Health Services (BQIHS), by adopting, restricting, or regulating the movement and entry of people coming from infected countries or other countries suspected to be carriers, or potential carriers, of the virus, through a system of surveillance methods utilizing rigid screening and identification procedures in all ports of entry, and adopting isolation and quarantine measures whenever deemed necessary;

- Prevent, minimize and regulate the spread and local transmission of the virus through enforcement of triage, contact tracing, surveillance, quarantine and isolation procedures of people, as may be appropriate;
- Care, render assistance, cure, or minimize death or sickness through effective clinical management of people, resources, hospitals, and other facilities, whether public or private;

The Secretary of Health shall also exercise such other functions and powers as may be incidental, related or otherwise connected with the above mentioned authority.

**SECTION 4. The Secretary of Agriculture: Specific Area of Concern and Responsibility** - The Secretary of Agriculture shall take such measures and actions as would:

- Prevent, Restrict, minimize or otherwise regulate the entry of poultry, fowl, birds, or other animals coming from infected countries or from any other country which are potential or suspected to be, afflicted or carriers of the avian flu virus, including the imposition of total or partial bans on imports of poultry and other animals;
- Conduct surveillance, mapping, identification, isolation, quarantine of chickens, their by-products, and other animals infected or suspected to be infected by the avian flu virus within the country, or any part thereof, including the culling or stamping out of infected chickens and quarantine of chicken or poultry farms and other affected areas, as may be determined by the Secretary.
- Monitor, trace, plot, or otherwise observe, in coordination with the Department of Environment and Natural Resources (DENR), the sanctuaries and movement patterns of migratory birds from within and without the country taking into consideration the safety and well being of the people and giving due regard to nature.

The Secretary of agriculture shall also exercise such other functions and powers as may be incidental, related or otherwise connected with the above mentioned authority.

**SECTION 5. Information Dissemination and Coordination** - As Crisis Manager, the Secretary of Health shall have the responsibility to:

- Continuously educate and disseminate information, as appropriate, in order to prepare and educate the media and the general public with a better understanding of the avian flu virus, promote positive health values and behavior, and prevent disinformation, confusion, or panic;
- Coordinate responses together with other government agencies and the private sector through meetings, conferences and the like; or otherwise constructively engage the public and affected sectors in general;
- Issue the necessary bulletins, advisories and health warnings on matters concerning the foregoing.

**SECTION 6. Assistance and Support** - The Over-All Crisis Manager is hereby empowered to call upon all agencies of Government for support and assistance in the enforcement of this Order, including but not necessarily limited to the:

Department of Agriculture (DA);  
Department of Interior and Local Government (DILG);  
Department of Foreign Affairs (DFA);  
Department of Transportation and Communications (DoTC);  
Department of Finance (DoF);  
Department of Education (DepEd);

Department of Labor and Employment (DOLE);  
Department of National Defense (DND);  
Office of the Press Secretary (OPS);

The Crisis Manager shall be empowered to seek the assistance and support of the abovementioned agencies, including their respective attached offices, in order to effectively implement the provisions of this Order.

All agencies, offices, managers, and personnel are hereby directed to cooperate and provide such assistance and support as may be requested or needed by the Crisis Manager in the containment of the Avian flu virus.

Defense and law enforcement agencies, particularly the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP) and the Philippine Coast Guard (PCG), shall give priority to the directives or orders issued and promulgated by the Crisis Manager affecting their specific areas of concern.

SECTION 7. Funding - An amount not exceeding Two Hundred Fifty Million (P250,000,000.00) Pesos is hereby set aside from the funds of the Philippine Charity Sweepstakes Office (PCSO) to cover the financial requirements of this Order.

SECTION 8. Rules and Regulations - The Secretary of Health shall promulgate such rules and regulations as may be necessary, related, incidental or consistent with the purpose, intent, and objective of this Order.

SECTION 9. Applicability of Executive Order No. 201 - For purposes of this Order and in so far as it may be practicable, the provisions of Order No. 201, series of 2003, shall be deemed suppletory hereto.

SECTION 10. Constitutionality - Should any of the provisions contained herein be declared illegal or unconstitutional, the rest or other such provisions not so declared shall remain valid and effective.

SECTION 11. Effectivity - This Executive Order shall take effect immediately.

Adopted: 05 Feb. 2004

By the President:

(SGD.) ALBERTO G. ROMULO  
Executive Secretary

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