

Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

SEVENTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 401



Introduced by Representative Rodrigo A. Abellanosa

EXPLANATORY NOTE

Cigarette-smoking has been shown to be among the leading causes of death and diseases all over the world. 2013 statistics show that almost 200 Filipinos are killed by tobacco-caused diseases everyday or roughly 71,850 each year. Despite these staggering numbers, 505,600 children and more than 15,570,000 adults continue to use tobacco habitually.ⁱ

Studies made by the World Health Organization show that tobacco use is one of the biggest public health threats facing the world today killing around 6 million people worldwide. More than 5 million of those deaths are the result of direct tobacco use while more than 600,000 are the result of non-smokers being exposed to secondhand smoke.ⁱⁱ

Republic Act 10351 also known as the Sin Tax Law, increased the levies imposed on tobacco products, not only for the purpose of generating national revenues to fund health programs, but also in hopes of reducing the number of tobacco consumers. The impact of this law has been outstanding but there is more that needs to be done to curb tobacco consumption that undeniably has dire effects on our citizenry's health and well-being.

The current administration has well expressed its concern regarding the issue on cigarettes. In this connection, this bill, to be known as the Cigarette Holidays Act, proposes the observation of a Cigarette Holiday every 15th of each month when smoking and selling cigarettes shall be strictly prohibited and penalized.

Aside from health concerns, with the average cigarette consumption of Filipinos at 11 sticks per day as of 2009ⁱⁱⁱ, the Filipino household is also expected to save approximately Php66 for every smoker in the family every cigarette holiday or Php792 yearly (using an approximate retail price per stick of Php6).

Our people are this nation's most precious resource. Let us all work together in ensuring that they lead healthy and productive lives.

In view of the foregoing, passage of this Bill is earnestly sought.



RODRIGO A. ABELLANOSA

ⁱ <http://www.tobaccoatlas.org/country-data/philippines/>

ⁱⁱ <http://www.who.int/mediacentre/factsheets/fs339/en/>

ⁱⁱⁱ http://www.who.int/tobacco/surveillance/gats_philippines_fact_sheet.pdf?ua=1

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AN ACT
DECLARING THE 15TH DAY OF EVERY MONTH AS CIGARETTE HOLIDAY,
PROHIBITING THE USE AND SALE OF CIGARETTES DURING ITS
OBSERVATION AND PROVIDING PENALTIES THEREFOR

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

Section 1. *Short Title.* This Act shall be known as the "Cigarette Holidays Act."

Section 2. *Period of observation of the Cigarette Holidays.* The 15th day of every month is hereby declared as Cigarette Holiday whence the use and sale of cigarettes are prohibited.

Section 3. *Penalties.*

- a) Any person who shall be caught smoking cigarettes during the observance of the holidays shall suffer the penalty of:
 - i. A fine of Five Thousand Pesos (Php5,000) for the first offense;
 - ii. A fine of Twenty-Five Thousand Pesos (Php25,000) for the second offense; or
 - iii. *Arresto menor*, or imprisonment for a period of one to thirty days and a fine of Fifty Thousand Pesos (Php50,000) for succeeding offenses.
- b) Any person who shall be caught selling cigarettes during the observance of the holidays shall suffer the penalty of:
 - i. A fine of Ten Thousand Pesos (Php10,000) for the first offense;
 - ii. *Arresto menor*, or imprisonment for a period of one to thirty days and a fine of Fifty Thousand Pesos (Php50,000) for the second offense; or
 - iii. *Arresto mayor*, or imprisonment for a period of one month and one day to six months and a fine of One Hundred Thousand Pesos (Php100,000) for succeeding offenses.

Section 4. *Separability Clause.* Should any provision of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in force and effect.

Section 5. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation inconsistent with this Act is hereby repealed, modified, or amended accordingly.

Section 6. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,