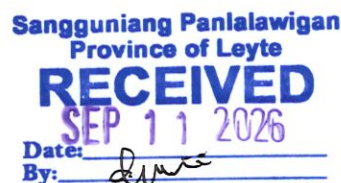




09 September 2026

HON. LEONARDO M. JAVIER, JR.
Vice Governor
Province of Leyte



Dear Honorable Vice Governor:

Warm greetings!

Respectfully endorsing to your good office the following proposed ordinances and to request that these be included in our agenda:

- AN ORDINANCE INSTITUTIONALIZING THE LEYTE SMOKE-FREE AND VAPE-FREE PROGRAM, CREATING THE PROVINCIAL SMOKE-FREE AND VAPE-FREE COUNCIL, AND PROVIDING FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES

- AN ORDINANCE INSTITUTIONALIZING THE LEYTE PROVINCE-WIDE IMMUNIZATION PROGRAM, INCLUDING THE COMMUNITY-BASED BAKUNA CHAMPIONS PROGRAM, PROVIDING FOR IMMUNIZATION GOVERNANCE, AND FOR OTHER PURPOSES

- AN ORDINANCE INSTITUTIONALIZING THE PROVINCIAL ADOLESCENT HEALTH AND DEVELOPMENT PROGRAM OF LEYTE, PROVIDING FOR ITS GOVERNANCE AND IMPLEMENTATION, AND APPROPRIATING FUNDS THEREFOR

Thank you very much and Best Regards!

Very Truly Yours,


HON. RAISSA J. VILLASIN
Chairperson, Committee On Health

Cc: Atty. Carlo P. Loreto, Floor Leader

**PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**PROVINCIAL ORDINANCE NO. _____
Series of 2026**

**AN ORDINANCE INSTITUTIONALIZING THE LEYTE SMOKE-FREE AND VAPE-FREE PROGRAM,
CREATING THE PROVINCIAL SMOKE-FREE AND VAPE-FREE COUNCIL, AND PROVIDING FOR ITS
IMPLEMENTATION, AND FOR OTHER PURPOSES**

AUTHOR: HON. RAISSA J. VILLASIN

EXPLANATORY NOTE

Tobacco use remains one of the major preventable risk factors for non-communicable diseases, including cardiovascular diseases, cancer, and chronic respiratory diseases. At the same time, the continued emergence and accessibility of electronic cigarettes, vaporized nicotine and non-nicotine products, and other novel tobacco products present additional challenges to public health, particularly among children and young people.

The enactment of Republic Act No. 11900, or the *Vaporized Nicotine and Non-Nicotine Products Regulation Act*, strengthened the national regulatory framework governing these products and provided complementary implementation roles for local government units. This law operates alongside Republic Act No. 9211, or the *Tobacco Regulation Act of 2003*, Executive Order No. 26, Series of 2017, and other national laws, rules, and regulations on tobacco control and smoke-free environments.

While national laws provide the general regulatory framework, effective tobacco and vape control requires sustained implementation at the local level. Differences in local implementation, continuing exposure to secondhand smoke and aerosol emissions, and the need to strengthen prevention and cessation services underscore the importance of a coordinated provincial approach.

The Province of Leyte therefore seeks to institutionalize a province-wide Smoke-Free and Vape-Free Program that will strengthen local implementation of national policies, promote smoke-free and vape-free environments, support tobacco and vape prevention and cessation, improve coordination among local government units and concerned agencies, and establish a continuing mechanism for monitoring and policy development.

The proposed Ordinance is intended to complement, and not supplant, national laws and regulations. It provides the provincial policy and institutional framework while leaving detailed operational procedures, technical standards, enforcement protocols, and other implementing matters to the appropriate national issuances and the Implementing Rules and Regulations of this Ordinance.

In view of the foregoing, approval of this measure is earnestly sought.

WHEREAS, Article II, Section 15 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, Article II, Section 16 of the Constitution recognizes the right of the people to a balanced and healthful ecology;

WHEREAS, Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, empowers local government units to enact measures for the promotion of the general welfare, including the protection and promotion of public health;

WHEREAS, Republic Act No. 9211, otherwise known as the *Tobacco Regulation Act of 2003*, provides for the regulation of tobacco products and measures for the protection of the public from the harmful effects of tobacco use;

WHEREAS, Executive Order No. 26, Series of 2017, provides for the establishment of smoke-free environments in public and enclosed places;

WHEREAS, Republic Act No. 11900, otherwise known as the *Vaporized Nicotine and Non-Nicotine Products Regulation Act*, provides the national regulatory framework for vaporized nicotine and non-nicotine products and novel tobacco products and recognizes complementary implementation roles for local government units;

WHEREAS, there is a continuing need to protect children, adolescents, and other vulnerable populations from exposure to tobacco smoke and emissions from vaporized products and to prevent the initiation and continued use of tobacco and vape products;

WHEREAS, a coordinated provincial framework is necessary to strengthen the implementation of national tobacco and vape control policies, support component local government units, and promote sustained prevention, cessation, monitoring, and health promotion efforts throughout the Province of Leyte;

NOW, THEREFORE, be it ordained by the Sangguniang Panlalawigan of Leyte, in session assembled:

SECTION 1. SHORT TITLE.

This Ordinance shall be known as the **“Leyte Smoke-Free and Vape-Free Ordinance of 2026.”**

SECTION 2. DECLARATION OF POLICY.

It is hereby declared the policy of the Province of Leyte to:

- (a) protect and promote the right to health of its people;
- (b) support and strengthen the implementation of national tobacco and vape control laws and policies;
- (c) promote smoke-free and vape-free environments, particularly in places where people live, work, study, seek health care, and access public services;
- (d) prevent the initiation and use of tobacco and vape products, particularly among children and young people;
- (e) reduce exposure to secondhand tobacco smoke and emissions from vaporized products;
- (f) promote accessible and appropriate tobacco and vape cessation and prevention services; and

(g) institutionalize sustained coordination among the Provincial Government, component local government units, national government agencies, educational institutions, health facilities, civil society organizations, and communities.

SECTION 3. SCOPE AND APPLICATION.

This Ordinance shall apply to the programs, policies, activities, and facilities under the jurisdiction or administrative responsibility of the Provincial Government of Leyte and shall serve as the provincial framework for supporting and coordinating the implementation of smoke-free and vape-free policies throughout the Province.

Component cities and municipalities shall continue to exercise their powers and responsibilities under existing laws and ordinances, consistent with national tobacco and vape control laws and this Ordinance.

Nothing in this Ordinance shall be construed as limiting the authority of a component local government unit to adopt or enforce measures authorized by law, provided that such measures are consistent with national laws and regulations.

SECTION 4. DEFINITION OF TERMS.

For purposes of this Ordinance:

(a) **Aerosol** refers to the emissions generated by a vaporized nicotine or non-nicotine product or similar device for inhalation.

(b) **Child or Minor** refers to a person below eighteen (18) years of age, consistent with applicable law.

(c) **Smoke-Free and Vape-Free Area** refers to a place where smoking and the use of vaporized nicotine and non-nicotine products are prohibited pursuant to national law, this Ordinance, or a duly enacted local measure.

(d) **Tobacco Product** refers to a product covered by Republic Act No. 9211 and other applicable tobacco control laws.

(e) **Vaporized Nicotine and Non-Nicotine Product** refers to a product covered by Republic Act No. 11900 and its implementing rules and regulations.

(f) **Smoking** refers to the use of a tobacco product in the manner regulated or prohibited by applicable law.

(g) **Vaping** refers to the use of a vaporized nicotine or non-nicotine product or similar device in the manner regulated or prohibited by applicable law.

(h) **Person-in-Charge** refers to the owner, manager, administrator, operator, supervisor, employer, lessee, or other person responsible for the operation or management of a place or establishment.

Terms not defined in this Ordinance shall have the meanings provided under applicable national laws, rules, regulations, and issuances.

SECTION 5. PROVINCE-WIDE SMOKE-FREE AND VAPE-FREE POLICY.

The Province shall promote and support the implementation of smoke-free and vape-free environments in all places where smoking or vaping is prohibited under national law and in other areas that may be validly declared smoke-free or vape-free pursuant to law.

All offices, facilities, and establishments under the control or administrative responsibility of the Provincial Government shall comply with applicable smoke-free and vape-free requirements.

The Province shall encourage component local government units to adopt, strengthen, and consistently implement smoke-free and vape-free measures within their respective jurisdictions, consistent with national law.

The detailed standards on prohibited places, designated areas, signage, age restrictions, sales, advertising, promotion, sponsorship, and related matters shall be governed by applicable national laws and regulations and, where appropriate, the Implementing Rules and Regulations of this Ordinance.

SECTION 6. PROHIBITED ACTS.

The following shall be prohibited, subject to applicable national laws and regulations:

- (a) Smoking or vaping in areas where such acts are prohibited by law;
- (b) selling, distributing, or furnishing tobacco products or vaporized nicotine and non-nicotine products to persons below the age prescribed by law;
- (c) undertaking any act involving the sale, promotion, advertising, distribution, or use of tobacco or vape products in violation of applicable national laws and regulations; and
- (d) obstructing or interfering with the lawful implementation of this Ordinance or applicable national tobacco and vape control laws.

Nothing in this Section shall be interpreted as creating a separate standard that is inconsistent with national law.

SECTION 7. LEYTE SMOKE-FREE AND VAPE-FREE PROGRAM.

The Province shall institutionalize the **Leyte Smoke-Free and Vape-Free Program** as a continuing provincial public health program.

The Program shall provide the framework for:

- (a) tobacco and vape prevention and health promotion;
- (b) information, education, and communication;
- (c) tobacco and vape cessation and referral services;
- (d) capacity-building of health workers, implementing personnel, and other stakeholders;
- (e) monitoring and assessment of implementation;

(f) technical assistance to component local government units; and

(g) coordination and partnership with relevant government agencies, institutions, organizations, and communities.

The Provincial Health Office shall serve as the lead implementing office of the Program.

Program priorities and activities shall be integrated, whenever appropriate, into the Provincial Health Office's plans, programs, and budgets.

SECTION 8. CREATION OF THE PROVINCIAL SMOKE-FREE AND VAPE-FREE COUNCIL.

There is hereby created the **Provincial Smoke-Free and Vape-Free Council**, hereinafter referred to as the **Council**, under the Provincial Health Board.

The Council shall serve as the principal provincial **policy, coordination, advisory, and monitoring body** for the implementation of this Ordinance.

The Council shall be composed of:

(a) Provincial Governor – Chairperson;

(b) Provincial Health Officer – Co-Chairperson;

(c) Chairperson, Sangguniang Panlalawigan Committee on Health;

(d) Provincial Legal Officer;

(e) Provincial Social Welfare and Development Officer;

(f) Provincial Information Officer;

(g) Provincial Planning and Development Coordinator;

(h) Representative, Department of Health – Eastern Visayas Center for Health Development;

(i) Representative, Department of the Interior and Local Government – Leyte Provincial Office;

(j) Representative, Department of Education – Leyte Division;

(k) Representative, Philippine National Police – Leyte Provincial Office;

(l) President, Liga ng mga Barangay – Leyte Chapter;

(m) President, Provincial Federation of Sangguniang Kabataan;

(n) one (1) representative from a duly recognized health professional organization operating in the Province; and

(o) one (1) representative from a duly recognized civil society organization engaged in public health, tobacco control, or health promotion.

The Council may invite other government agencies, local government units, institutions, or organizations whose participation is necessary or relevant to the performance of its functions.

Members may designate permanent alternate representatives with sufficient authority to participate in Council deliberations.

The Provincial Health Office shall serve as the **Secretariat** of the Council.

SECTION 9. FUNCTIONS OF THE COUNCIL.

The Council shall:

- (a) recommend provincial policies, plans, and strategies for tobacco and vape control;
- (b) coordinate and harmonize the implementation of the Leyte Smoke-Free and Vape-Free Program;
- (c) facilitate coordination among the Provincial Government, component local government units, national government agencies, and other stakeholders;
- (d) monitor and assess the implementation of this Ordinance and recommend appropriate measures to address identified gaps;
- (e) promote tobacco and vape prevention, health education, and cessation initiatives;
- (f) recommend policies and legislative measures to strengthen tobacco and vape control in the Province;
- (g) review and recommend updates to the Program based on evidence, emerging concerns, and changes in national laws and policies; and
- (h) submit an annual report on the implementation of the Program to the Provincial Health Board and the Sangguniang Panlalawigan.

The Council shall not exercise regulatory functions vested by national law in another government agency.

SECTION 10. ROLE OF THE PROVINCIAL HEALTH OFFICE.

The Provincial Health Office shall lead the implementation of the Leyte Smoke-Free and Vape-Free Program and shall:

- (a) provide technical support to the Council;
- (b) coordinate with component local government units and concerned agencies;
- (c) facilitate the integration of tobacco and vape prevention and cessation interventions into appropriate provincial health programs;
- (d) support monitoring and reporting; and
- (e) perform such other functions as may be necessary to implement the policies and programs approved under this Ordinance.

SECTION 11. SUPPORT TO COMPONENT LOCAL GOVERNMENT UNITS.

The Provincial Government, through the Provincial Health Office and the Council, shall provide technical assistance, capacity-building, policy guidance, and other appropriate support to component cities and municipalities in strengthening their smoke-free and vape-free programs.

The Province may establish a recognition or incentive mechanism for local government units, public institutions, schools, health facilities, workplaces, establishments, and other organizations that demonstrate exemplary implementation of tobacco and vape control measures, subject to applicable laws and available funds.

SECTION 12. INFORMATION, EDUCATION, PREVENTION, AND CESSATION.

The Province shall undertake continuing public health interventions to:

- (a) increase awareness of the health risks associated with tobacco and vape use and exposure;
- (b) prevent initiation and use among children and young people;
- (c) promote healthy and tobacco-free lifestyles; and
- (d) improve access to appropriate tobacco and vape cessation services and referral mechanisms.

Such interventions shall be undertaken in coordination with appropriate national government agencies, local government units, educational institutions, health facilities, civil society organizations, and other stakeholders.

SECTION 13. MONITORING AND REPORTING.

The Council, through the Provincial Health Office, shall establish a province-wide mechanism for monitoring the implementation of this Ordinance and the Leyte Smoke-Free and Vape-Free Program.

The monitoring mechanism shall, as appropriate, include implementation status, program accomplishments, identified gaps, and recommendations for policy or program improvement.

An annual report shall be submitted to the Provincial Health Board and the Sangguniang Panlalawigan.

Detailed indicators, reporting procedures, and monitoring tools shall be provided in the Implementing Rules and Regulations or through appropriate administrative issuances.

SECTION 14. INTER-AGENCY COORDINATION AND PARTNERSHIPS.

The Province shall strengthen coordination with national government agencies, component local government units, educational institutions, health facilities, professional organizations, civil society organizations, academic institutions, development partners, and other stakeholders in the implementation of this Ordinance.

Partnerships may include technical assistance, training, research, public education, cessation support, monitoring, and other activities consistent with the objectives of this Ordinance and applicable laws.

No partnership, grant, donation, sponsorship, or other form of assistance shall compromise the independence, integrity, or public health objectives of the Program or conflict with applicable laws and policies on tobacco and vape industry participation.

SECTION 15. IMPLEMENTING RULES AND REGULATIONS.

Within sixty (60) days from the effectivity of this Ordinance, the Council, through the Provincial Health Office, shall formulate the Implementing Rules and Regulations for its effective implementation.

The IRR shall be limited to the operational, administrative, technical, monitoring, coordination, and other implementing details necessary to carry out this Ordinance and shall conform to existing national laws, rules, regulations, and issuances.

The IRR shall be submitted to the Provincial Health Board for approval.

SECTION 16. APPROPRIATIONS AND FUNDING.

Funds necessary for the implementation of this Ordinance shall be included in the annual appropriations of the Provincial Government, subject to existing budgeting, accounting, auditing, procurement, and other applicable laws, rules, and regulations.

The Province may receive lawful grants, donations, technical assistance, and other resources from government agencies, development partners, civil society organizations, and other sources, provided that such assistance is consistent with this Ordinance and does not compromise the independence or integrity of the Program.

SECTION 17. NON-INTERFERENCE WITH NATIONAL REGULATORY AUTHORITY.

Nothing in this Ordinance shall be construed as transferring, duplicating, or diminishing any regulatory, licensing, inspection, enforcement, or other authority vested by national law in the Department of Trade and Industry, Department of Health, Food and Drug Administration, Department of Education, Bureau of Internal Revenue, Philippine National Police, or any other national government agency.

The Province shall perform only such functions as are authorized by law and shall coordinate with the appropriate national government agencies in the implementation of tobacco and vape control measures.

SECTION 18. SEPARABILITY CLAUSE.

If any provision of this Ordinance is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SECTION 19. REPEALING CLAUSE.

All provincial ordinances, resolutions, rules, regulations, or other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 20. EFFECTIVITY.

This Ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation within the Province of Leyte or posting requirements under applicable laws and rules.