Republic of the Philippines
BANGSAMORO TRANSITION AUTHORITY
Bangsamoro Autonomous Region in Muslim Mindanao
Cotabato City

SECOND REGULAR SESSION

- - - o0o - - -

[BTA RESOLUTION NO. 234, Series of 2020]

URGENT RESOLUTION REQUIRING ALL TEACHERS IN PUBLIC AND PRIVATE ELEMENTARY AND HIGH SCHOOLS TO UNDERGO MANDATORY COVID-19 TESTING 45 DAYS BEFORE THE OPENNING OF SCHOOL YEAR 2020-2021.

WHEREAS, under the provisions of RA 11054 otherwise known as the "Bangsamoro Organic Law", the Bangsamoro Government has the power to exercise its authority over health, education and quarantine regulations.

WHEREAS, Section 2, Article 5 of the same law provides that:

> "*Powers of the Bangsamoro Government.* - Subject to Section 20, Article X of the Constitution and this Organic Law, the Bangsamoro Government shall exercise its authority over the following matters without prejudice to the general supervision of the President of the Republic of the Philippines:
>
> Xxx
>
> (v) Education and skills training;
>
> Xxx
>
> (bb) Health;
>
> Xxx
>
> (rr) Quarantine regulations"

WHEREAS, the General Welfare clause is found in the proceeding Section which provides:

> "Section 3. *General Welfare.* The Bangsamoro Government shall exercise the power 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 general welfare. Within its territorial jurisdiction,

the Bangsamoro Government shall ensure and support ... health and safety ... of its inhabitants."

WHEREAS, Section 21, Article IX of the same law provides:

> "...The Bangsamoro Government shall protect and promote the right to health of the people ... The Parliament shall enact appropriate legislation towards this end. ... The Bangsamoro Government shall assist and cooperate with the National Government in the provision of quarantine services for the prevention and control of epidemic and other communicable diseases.

WHEREAS, the alarming rise of COVID-19 cases, the lives it took and the lives it continues to affect in the country brought panic, fear and anguish amongst the Filipino people including the Bangsamoro, especially among vulnerable sectors.

NOW THEREFORE, BE IT RESOLVED, AS IT HEREBY RESOLVED, In accordance with the provisions of Bangsamoro Organic Law specifically mentioned herein and to ensure safety of our academe professionals, students and pupils, and the general public, teachers from both public and private elementary and high schools within the territorial jurisdiction of the Bangsamoro Autonomous Region are hereby required to undergo mandatory COVID-19 testing Forty-five (45) days before the beginning of school year 2020-2021;

RESOLVED FURTHER, that the Bangsamoro Government thru the Ministry of Health and the Ministry of Basic, Higher and Technical Education shall facilitate the conduct of the COVID-19 Testing for the teachers;

RESOLVED FURTHERMORE, that the Bangsamoro Government shall shoulder the testing of the teachers, and as such, the Chief Minister may charge the expenses for testing from the Contingent Fund of the BARMM, and

RESOLVED FINALLY, that a copy of this Resolution be furnished to the Ministry of Basic, Higher and Technical Education – BARMM (MBHTE-BARMM) and Ministry of Health – BARMM (MOH-BARMM) and to the Office of the Chief Minister (OCM), BARMM.

Adopted, June ____, 2020 at Cotabato City, BARMM.

AUTHOR:

ATTY. OMAR YASSER C. SEMA
Member, BTA Parliament

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority Parliament
OFFICE OF THE SECRETARY GENERAL
RECEIVED
NORIA Y. TAHA
By: _____ Date: MAY 26, 2020
Signature: _____ Time: 11:52 AM