



IMPLEMENTATION OF EXECUTIVE ORDER NO. 26 IN PIAT, CAGAYAN

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ABSTRACT: *This study assessed the implementation of Executive Order No. 26 in the Municipality of Piat, Cagayan, particularly in the barangay level. The executive order provides for the establishment of smoke-free environments in public and enclosed places in the Philippines. The study is descriptive quantitative utilizing a researcher-made questionnaire as the main survey instrument supplemented by interview schedules and photo documentation. It involved twenty eight barangay officials from three major barangays selected through cluster sampling. Results of the study reveal that the barangay officials are 'moderately aware' on the provisions of Executive Order No. 26. Most of the them conduct activities such as strictly not allowing minors to buy and use cigarettes, prohibiting smoking in public places, posting 'no smoking' signage, no smoking 10 meters away during meetings at the session hall, no smoking policy during barangay assembly, putting placards that minors are not allowed to buy cigarettes displayed in front of their stores, disseminating to constituents the disadvantages of smoking. Common problems are minors who are smoking and buying for their parents because there are still stores selling cigarettes; teens and vendors disobey the rule in the order.*

Keywords: *executive order #26, barangay official, seminar-workshop, smoke-free, descriptive-quantitative*



INTRODUCTION

Despite the signing and effectivity of Executive Order No. 26 that imposes a nationwide smoking ban, there is as it seems the lack of serious implementation of the same. The said EO is a law that needs to be adhered to by the people. Since the ban on smoking is supposedly enforced nationwide, the subjects that need to obey the said law are the Filipinos. It simply means that no one is exempted to the said order. Like other laws, which are actually important pieces of legislation, are simply not enforced effectively or disregarded. The seemingly ineffective measure is caused maybe by the slack of implementation or by the public's wanton disregard of such.

The poor implementation may be attributed to lack of law enforcers who would monitor and apprehend smokers in public or their ignorance of the existence of such law particularly EO 26. Some law enforcers, even if they are aware of the nationwide smoking ban, seem not to mind at all the people who violate the said order.

The executive order prohibits smoking in enclosed public places and public utility vehicles, selling of cigarettes to minors, minors smoking or selling cigarettes and other tobacco products. Selling or distributing tobacco in schools, public playgrounds and other areas frequented by minors is also not allowed.

With the provisions of the EO now in effect since July 22, 2018, establishments can no longer put up indoor smoking areas. They have the option to establish smoking areas outdoors and far from people who do not smoke.

Violators of the order would be slapped with a fine from P5,000 to P10,000 depending on the number of offenses. Establishments who do not comply with the country's smoke-free policy will be fined P5,000 or jailed.

Again, like other laws in the country, the implementation of EO 26 seems to be so poor that the very essence of the existence of such law is defeated.

In addition to the poor implementation of the EO, it can be observed that there is the lack of marketing or information dissemination to the public on the effectivity of the order. Perhaps, the Department of Health may come up with television advertisements that inform the people on the existence of a nationwide prohibition on smoking in public and the penalties included in the law.



If more people would just know of the EO, they might be in addition to those on the other hand, who obey the law. There is nothing wrong in obeying such EO. Besides, the law aims to provide a smoke-free environment and for the good health of smokers and no-smokers alike.

Considering the lack of data showing the effective implementation of E.O. 26, this study was conceived, hence, this study.

STATEMENT OF THE PROBLEM

Generally, this study aimed to assess the implementation of E.O 26 in the Municipality of Piat.

Specifically, it sought answers to the following questions:

1. What is the profile of respondents as regards:
 - 1.1. Age
 - 1.2. Sex
 - 1.3. Educational attainment
 - 1.4. Position in the Local Government Unit
 - 1.5. Number of years as barangay official
 - 1.6. Number of years as Municipal government official
 - 1.7. Rank
2. How aware are the respondents on the provisions of Executive Order 26?
3. What are the implementing guidelines and procedures adopted by the LGU of Piat, barangay officials and the PNP in implementing the provisions of EO 26.
4. What problems do respondents encounter in the implementation of EO 26?

METHODOLOGY

This study utilized the descriptive qualitative research design. It was conducted in the Municipality of Piat, Cagayan, particularly in the barangays of Poblacion 1, Baung and Maguiling. The barangay officials who are the implementers of the provisions of the Executive Order No. 26 were taken as respondents totaling to 28.

The primary tool in gathering the data was the questionnaire. It consisted three parts. Part I generated data on the profile of the respondents. Part II elicited the awareness



of respondents on the provisions of the Executive Order Part III generated data on the implementation of the Executive Order. Part IV generated data on the problems encountered in the implementation of the law. The questionnaire was constructed by the researchers and pretested to determine the validity of the questions. Results of the pretest were the basis of revising some questions not properly understood during the pre-test.

The data were analyzed using descriptive statistics such as frequency counts and percentages.

The awareness of the respondents was analyzed using the Likert Scale below:

4.20 – 5.0	-	extremely aware
3.40 – 4.19	-	moderately aware
2.60 – 3.39	-	somewhat aware
1.80 – 2.59	-	slightly aware
1.0 – 1.79	-	Not at all aware

RESULTS AND DISCUSSIONS

Profile of the Barangay Officials

Table 1. Frequency and Percentage Distribution of the Barangay Officials according to Sex

Category	Frequency	Percentage
Male	16	57.14
Female	12	42.86
Total	28	100

Table 1 presents the frequency and percentage distribution of the barangay officials according to sex. As shown, majority of them are male numbering to 16 or 57.14 percent of their total number. Twelve or 42.86 percent are female. This implies that the barangay residents have more trust on male leaders.



Table 2. Frequency and Percentage Distribution of the Barangay Officials according to Age

Ages	Frequency	Percentage
30 – 35	2	7.14
36 – 40	5	17.86
41 – 45	7	25.00
46 – 50	4	14.29
51 – 55	6	21.43
56 – 60	3	10.71
61 above	1	3.57
Total	28	100

Mean: 41.4

Regarding their age, Table 2 shows that the barangay officials are mostly from 41 to 45 years old (7 or 25 percent) and 51 to 55 years old (6 or 21.43 percent). Their mean age, which is 41.4, means that the barangay leaders are usually those who have gained more experience and knowledge due to their maturity.

Table 3. Frequency and Percentage Distribution of the Barangay Officials according to Civil Status

Civil Status	Frequency	Percentage
Single	3	10.71
Married	21	75.00
Widower	4	14.29
Total	28	100

As gleaned in Table 3, 75 percent or 21 of the barangay officials are married while 4 or 14.29 percent are widower. Only 3 or 10.71 percent are single. This means that most of those who govern the barangay have home responsibilities aside from their official functions which may hamper their performance.



Table 4. Frequency and Percentage Distribution of the Barangay Officials according to Educational Attainment

Category	Frequency	Percentage
High School Undergraduate	2	7.14
High School Graduate	3	10.71
College Undergraduate	13	46.43
College Graduate	10	35.71
Total	28	100

In terms of the educational attainment of the barangay officials, majority of them are college undergraduate (13 or 46.43 percent) while 10 or 35.71 percent are college graduate. This suggests that most of the barangay officials have sufficient knowledge and skills to use in the performance of their duties as barangay officials.

Table 5. Frequency and Percentage Distribution of the Barangay Officials according to Number of Years in Service

Years in Service	Frequency	Percentage
0 – 5	6	21.43
6 – 10	17	60.71
11 – 15	3	10.71
16 – 20	1	3.57
21 – 25	1	3.57
Total	28	100

Mean: 8.82

Table 5 presents the frequency and percentage distribution of barangay officials according to number of years in service. As shown, 60 percent or 17 have served from 6-10 years and 21.43 percent or 6 of them have served from 0-5 years. The rest have served from 11 years and above. This implies that most of the barangay officials are relatively young in service as supported by their mean year which is 8.82.



Table 6. Level of Awareness of the Barangay Officials on the Provisions of Executive Order

No. 26

Provisions of Executive Order No. 26	Mean	Descriptive Value
1. It is the policy of the state to guarantee the enjoyment of every citizen to breathe clean air thus prohibiting people to smoke.	3.86	Moderately aware
2. Exposure to tobacco smoke causes death, disease and disability, health, social, economic and environmental consequences, and places burdens to families and the national and local health system	3.43	Moderately aware
3. An increasing number of Filipinos become afflicted with and die each year of tobacco-related diseases such as stroke, heart disease and nicotine addiction.	3.61	Moderately aware
4. There is a need to strengthen existing measures on access restriction, including the regulation of sales, distribution and availability and the measures prescribed under the FCTC (Framework Convention on Tobacco Control).	3.61	Moderately aware
5. Smoking within enclosed public places conveyances, whether stationary or in motion, except in Designated Smoking Areas (DSAs) is prohibited.	3.96	Moderately aware
6. DSAs shall have a combined area and buffer zone not larger than 20 percent of the total floor area of the building but not smaller than 10 meters (33 ft).	3.54	Moderately aware
7. DSAs shall have no opening that will allow air to escape to the smoke-free area of the building or conveyance.	3.86	Moderately aware
8. DSAs shall have a ventilation system independent of other ventilation systems servicing the rest of the building or conveyance	3.71	Moderately aware
9. DSAs shall prominently display a "Smoking Area" signage,	3.75	Moderately aware



graphic health warnings, and prohibition on the entry of persons below 18 years old.		aware
10. There shall only be one DSA per building or conveyance.	3.86	Moderately aware
11. For persons-in-charge to allow, abet or tolerate smoking in prohibited places is punishable by law.	3.61	Moderately aware
12. For any person to sell, distribute or purchase tobacco products to and from minors is prohibited.	3.96	Moderately aware
13. It is not allowed for a minor to smoke, sell or buy cigarettes or any tobacco products.	3.82	Moderately aware
14. Ordering, instructing or compelling a minor to use, light up, buy, sell, distribute, deliver, advertise or promote tobacco products is prohibited.	3.82	Moderately aware
15. Selling or distributing tobacco products in a school, public playground, youth hostels and recreational facilities for minors, including those frequented by minors, or within 100 meters from any point of the perimeter of these places is against the law.	3.64	Moderately aware
16. Placing, posting, displaying or distributing advertisement and promotional materials of tobacco products, such as but not limited to leaflets, posters, display structures and other materials within 100 meters from the perimeter of a school, public playground, and other facilities frequented particularly by minors, hostel and recreational facilities for minors, including those frequented by them, or in an establishment when such establishments or its location is prohibited from selling tobacco products.	3.68	Moderately aware
17. Placing any form of tobacco advertisement outside of the premises of point-of-sale retail establishments is prohibited.	3.82	Moderately aware
18. It is not allowed to place any stall, booth, and other displays	3.46	Moderately aware



concerning tobacco promotions to areas outside the premises of point-of-sale locations or adult-only facilities		aware
19. All public buildings or places, such as government offices, schools, churches and hospitals, that are accessible or open to the public regardless of ownership or right to access must be smoke-free inside and within 10 meters (33 ft) from entrances and exits or where people pass or congregate, and from air intake ducts.	3.71	Moderately aware
20. Smoking is prohibited in public conveyances including buses and jeepneys, taxicabs, tricycles and other public utility vehicles, rail transit, airplanes and ships.	3.96	Moderately aware
21. Smoking in all outdoor spaces where people gather such as parks, playgrounds, sidewalks, waiting areas, open-air markets and resorts is prohibited.	3.68	Moderately aware
22. LGU's are enjoined to form a local Smoke Free Task Force to help carry out the provisions of the Executive Order.	3.82	Moderately aware
23. Enforcement of Executive Order No. 26 can be performed by members of the Philippine National Police and the local task forces of each city and municipality.	3.46	Moderately aware
24. "No Smoking" signage should be prominently posted in places visible to the public which must be at least 8x11 inches in size where the symbol shall occupy no less that 60% of the signage, while the remaining 40% of the signage shall contain the information: "Violators can be Fined up to ____ and Report violations to PNP Hotline.	3.68	Moderately aware
25. Violations of Executive Order No. 26 shall be punished in accordance with the applicable penalties provided under Sec.32 or RA 9211 and other applicable laws.	3.75	Moderately aware
Over-all Weighted Mean	3.72	Moderately aware

Level of Awareness of the Barangay Officials on the Provisions of Executive Order No. 26



Table 6 presents the level of awareness of the barangay officials on the provisions of Executive Order No. 26. It reveals that the barangay officials are 'moderately aware' of all the provisions with the weighted mean of 3.72.

Among these provisions, they are most aware that smoking within enclosed public places conveyances, whether stationary or in motion, except in Designated Smoking Areas (DSAs) is prohibited; that any person to sell, distribute or purchase tobacco products to and from minors is prohibited; that smoking is prohibited in public conveyances including buses and jeepneys, taxicabs, tricycles and other public utility vehicles, rail transit, airplanes and ships with the same means of 3.96.

Among those that they are least aware of is that exposure to tobacco smoke causes death, disease and disability, health, social, economic and environmental consequences, and places burdens to families and the national and local health system with the mean of 3.43; that it is not allowed to place any stall, booth, and other displays concerning tobacco promotions to areas outside the premises of point-of-sale locations or adult-only facilities with the mean of 3.46 and that enforcement of Executive Order No. 26 can be performed by members of the Philippine National Police and the local task forces of each city and municipality with the mean of 3.46.

The Activities and Programs Implemented in the Barangay to Comply with Executive Order No. 26

The following are the activities and programs conducted in the barangay level in order to implement Executive Order No. 26.

1. Minors are not allowed to buy cigarettes. / No selling of cigarettes to minors
2. No smoking in public places.
3. Posting of different signages particularly no smoking in public and property owned by the barangay.
4. Adopted smoking place 10 meters away during meeting from the session hall.
5. No smoking policy during barangay assembly.
6. Ordering and instructing store owners to put the placard that we gave to them that minors are not allowed to buy cigarettes to display in front of their store.
7. Disseminating to constituents the do's don'ts of smoking.
8. Informing the adolescents about the order.



Problems Encountered in Conducting Activities Related to the Implementation of Executive Order No. 26 in the Barangay Level

The following are the problems encountered by the barangay officials in conducting activities related to EO 26.

1. There are still minors smoking because cigarettes are still sold to them.
2. Some teens and vendors disobey the rule as to what were discusses and implemented in the order.
3. Minors buy cigarettes for their parents.
4. Some are not aware/ polite saying that if the tobacco planters stop planting, they will not smoke anymore.
5. Selling of cigarettes to the minors and distributing tobacco in a school and smoking in the public places.

CONCLUSION

Based on the findings, the barangay officers are not yet completely aware of the provisions of Executive Order No. 26 which results to ineffective and limited programs and activities to implement it. There is a need to strengthen local implementation and wider dissemination of the order in order to avoid persistent violations in the barangay level.

RECOMMENDATIONS

Based on the conclusions, the researchers recommend that the barangay officials should undergo a seminar – workshop on Executive Order No. 26 in order to fully learn its provisions and develop local rules and regulations such as ordinances to implement it. It is also highly recommended that the officials should be stricter in implementing ‘no smoking policy’ among minors

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