

MEMORANDUM CIRCULAR NO. 20-52

Series of 2020

SUBJECT: INCREASING THE ALLOWABLE OPERATIONAL CAPACITY OF CERTAIN BUSINESS ESTABLISHMENTS OR ACTIVITIES UNDER CATEGORIES II AND III UNDER GENERAL COMMUNITY QUARANTINE

WHEREAS, on 29 April 2020, the Inter Agency Task Force for the Management of Emerging Infectious Disease (IATF) approved the Omnibus Guidelines for the Implementation of Community Quarantine in the Philippines (“**Omnibus Guidelines**”) for recommendation of the President, and provides the categorization of industries allowed to operate;

WHEREAS, on 30 April 2020, Executive Order No. 112, Series of 2020, was issued by the President approving the Omnibus Guidelines and declaring that “*any amendment or modification of such Omnibus Guidelines may be approved by the [Inter-Agency Task Force for the Management of Emerging Infectious Diseases] IATF without need of further approval of the President;*”

WHEREAS, on 03 June 2020 and 16 July 2020, the Omnibus Guidelines was amended providing for the categorization of industries from I-IV that “*are allowed to operate at an operational capacity provided herein,*” and that the “*lists of sectors and industries per category are illustrative. Specific industries under each category are reflected in a separate document issued by the DTI which shall contain the updated guidelines to **implement the gradual increase of operational capacity** without diminution of the current operational and venue capacity including operating hours, without diminution of the current capacities and hours previously allowed;*”

WHEREAS, on 05 May 2020, MC No. 20-22, Series of 2020 was issued providing the list of business establishments or activities under Category I-IV based on the categorization under the Omnibus Guidelines and amended by MC No. 20-33, Series of 2020 on 08 June 2020 and MC No. 20-44 Series of 2020 on 08 June 2020 and MC No. 20-44 Series of 2020 on 31 July 2020 which recategorized certain Category IV industries to Category III and amended the IATF negative list, among others;

WHEREAS, on 04 May 2020, Memorandum Circular (MC) No. 20-21, Series of 2020 was issued providing the COVID-19 transmission and protective measures for mall operators and commercial establishments;

WHEREAS, on 01 June 2020, MC No. 20-28, Series of 2020 was issued providing the guidelines on minimum health protocols for barbershops and salons, amended subsequently by MC No. 20-38, Series of 2020 on 05 July 2020 and MC No. 20-44 Series of 2020;

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WHEREAS, on 22 June 2020, MC No. 20-37, Series of 2020 was issued providing the guidelines on the implementation of minimum health protocols for dine in services by restaurants and fastfood establishments and subsequently amended by MC No. 20-39, Series of 2020 providing for increased in operating capacity, among others;

WHEREAS, based on the regular monitoring activities conducted by the DTI, through the Fair Trade Enforcement Bureau (FTEB) and Regional or Provincial Offices, the business establishments or activities under Categories II and III on General Community Quarantine (GCQ) that are not yet 100% operational have been compliant with the minimum public health and safety protocols;

WHEREAS, based on the Department of Health's (DOH) COVID-19 tracker, the case doubling time has improved and critical care utilization rates have decreased for places under GCQ;

WHEREAS, conversely the need to provide stability for businesses, re-stimulate the economy amid the COVID-19 pandemic, and address the growing number of joblessness, poverty, and hunger incidence in the country is increasing;

WHEREFORE, foregoing premises considered, the following guidelines are hereby prescribed to increase the operational capacity of certain business establishments or activities under Categories II and III in areas placed under GCQ;

SEC. 1. Scope. These guidelines shall apply to the following business establishments or activities under Categories II and III in areas placed under GCQ:

1. Mining and Quarrying (domestic);
2. Other financial services (e.g., money exchange, insurance, reinsurance, lending companies, and non-compulsory pension funding);
3. Legal and Accounting;
4. Management Consultancy Activities;
5. Architecture and Engineering Activities; Technical Testing and Analysis;
6. Scientific and Research Development;
7. Advertising and Market Research;
8. Computer programming (such as writing, modifying, testing and supporting software, planning and designing computer systems), information service activities (such as data processing and hosting activities) and other related activities;
9. Publishing and printing services (such as printing of newspapers, magazines, and other periodicals, books, brochures, manuscripts, posters, maps, atlases, advertising catalogues, prospectuses, etc; printing directly onto textiles, plastic, glass, metal wood, and ceramics);
10. Film, music, and TV production;
11. Recruitment and placement agencies for overseas employment;
12. Other services such as photography services; fashion, industrial, graphic, and interior design;
13. Wholesale and retail trade of motor vehicles, motorcycles, and bicycles, including their parts and components;
14. Repair of motor vehicles, motorcycles, and bicycles (including vulcanizing shops, battery repair shops, auto repair shops, car wash);

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15. Malls and commercial centers (non-leisure only), *subject further to pertinent guidelines issued by DTI*;
16. Non-leisure wholesale and retail establishments (mall-based or otherwise), such as:
 - a. Hardware stores;
 - b. Clothing and accessories;
 - c. Bookstores and school and office supplies stores;
 - d. Baby or infant care supplies stores;
 - e. Pet shops, pet food and pet care supplies;
 - f. IT, communications, and electronic equipment;
 - g. Flower, jewelry, novelty, antique, perfume shops;
 - h. Toy store (playgrounds and amusement area closed);
 - i. Music stores;
 - j. Art galleries (selling only); and
 - k. Firearms and ammunition trading establishment.
17. All other public and private construction projects, subject further to strict compliance to the issued construction safety guidelines for the implementation of infrastructure projects during the COVID-19 pandemic by the Department of Public Works and Highways; and
18. Barbershops and Salons.

SEC. 2. Increase in the Allowable Operational Capacity of Business Establishments or Activities in Section 1 Under GCQ. Subject to the minimum public health and safety standards and protocols set under relevant issuances, such as DOH Administrative Order No. 2020-0015, Series of 2020 dated 27 April 2020, DTI-Department of Labor and Employment Joint Memorandum Circular No. 20-04, Series of 2020 on Workplace Prevention and Control of COVID-19, and other relevant issuances, the business establishments or activities in Section 1 in areas placed under GCQ shall be allowed to operate at 100% capacity (while still allowing work-from-home arrangements, where practicable), *except for* barbershops and salons which shall be allowed to operate at a maximum of 75% operational capacity, subject to strict physical distancing.

SEC. 3. Increase in the Allowable Operational Capacity for Restaurants and Food Establishments Under GCQ. Subject to the minimum public health and safety standards and protocols set under relevant issuances, such as DOH Administrative Order No. 2020-0015, Series of 2020 dated 27 April 2020, DTI-Department of Labor and Employment Joint Memorandum Circular No. 20-04, Series of 2020 on Workplace Prevention and Control of COVID-19, DTI MC No. 20-37, Series of 2020, and DTI MC 20-39, Series of 2020, the operational capacity for dine-in services of restaurants and fastfood establishments shall be allowed at more than 50% operational capacity; *provided that*, physical distancing is strictly observed; *provided further that*, the increase in operating capacity, menu offering, and maximum servings of alcoholic beverages shall be subject to the corresponding local government guidelines.

Restaurants and fastfood establishments' dine-in, take-out, and delivery services shall be allowed to operate up to 24 hours a day, as far as practicable, to augment the additional operational requirements and serve the needs of the public, while enhancing income opportunities for workers.

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Annexed to this Circular as Annex “A” and made an integral part is the revised list of business establishments or activities.

SEC. 4. Compliance Monitoring. The DTI, through the FTEB and Regional or Provincial Offices, shall continue its strict compliance monitoring through its post-audit mechanism. Inspection by the DOLE, DOH, and the LGU’s Health Office may also be conducted at any time.

SEC. 5. Complaints Handling. All feedback and complaints from the general public may be coursed through the DTI Consumer Care Hotline 1-384.

SEC. 6. Repealing Clause. All other issuances or parts thereof inconsistent herewith are hereby modified, amended, or superseded accordingly.

SEC. 7. Separability Clause. If for any reason, any part or provision of this Circular be declared invalid, any part or provision not affected thereby, shall remain in full force and effect.

SEC. 8. Effectivity. Given the presence of a public health emergency, this Circular shall take effect immediately upon its publication and filing with the University of the Philippines Law Center.

Issued on 02 October 2020.



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Date: 2020.10.02
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RAMON M. LOPEZ
Secretary









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ANNEX A: CATEGORY I - IV AND NEGATIVE LIST OF BUSINESS ESTABLISHMENTS/ACTIVITIES

(as of 1 October 2020)

BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
CATEGORY I				
Agriculture, Forestry, and Fisheries	100%	100%	100%	100%
Manufacturing of essential goods:				
• Food and Beverages (<i>only non-alcoholic drinks</i>)	50-100%  may increase if supply level warrants higher capacity; as may be approved by the DTI	100%	100%	100%
• Essential and Hygiene Products > Soap, detergents, shampoo, and conditioners > Diapers, feminine hygiene products, toilet papers, wet wipes > Disinfectants	50-100%  may increase if supply level warrants higher capacity; as may be approved by the DTI	100%	100%	100%
• Medicines and Vitamins	100%	100%	100%	100%
• Medical Products, such as: PPEs, Masks, Gloves, Others; medical supplies, devices and equipment, including suppliers of input, packaging and distribution	100%	100%	100%	100%
• Pet food, Feeds, and Fertilizer	50% 	100%	100%	100%
Essential Retail (e.g., groceries. markets, convenience stores, drug stores)	50% 	100%	100%	100%
			maximum operating hours up to 11 PM	
Food preparation insofar as take-out and delivery services	50% 	100%	100%	100%
			maximum operating hours up to 11 PM	
Water-Refilling Stations	50% 	100%	100%	100%
Laundry Services (including self-service)	50% 	100%	100%	100%
Public and private hospitals	100%	100%	100%	100%
Health, emergency and frontline services such as dialysis centers, chemotherapy centers and the like	100%	100%	100%	100%
Other medical, dental, rehabilitation and optometry clinics, non-aesthetic dermatological clinics, EENT; <i>Provided there is strict observance of infection prevention and control protocols, Provided further that dental procedures shall be limited to emergency cases only and that the wearing of PPE by dentists and attendants shall be mandatory. Home service therapy for PWD shall be allowed</i>	skeleton 	100%	100%	100%
Logistics Service Providers (Cargo Handling, Warehousing, Trucking, Freight Forwarding, and Shipping Line)	100%	100%	100%	100%
			maximum operating hours allowed up to 1 AM	
Delivery and courier services, whether in-house or outsourced transporting food, medicine, or other essential goods, including clothing, accessories, hardware, house wares, school and office supplies, as well as pet food and other veterinary products	100%	100%	100%	100%
			maximum operating hours allowed up to 1 AM	

BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
Water supply and sanitation services and facilities, including waste disposal services, as well as property management and building utility services	skeleton	100%	100%	100%
Establishments engaged in repair and maintenance of machinery and equipment, including those engaged in the repair of computers and household fixtures and equipment;	skeleton	100%	100%	100%
Telecommunications companies (e.g., ISPs, cable providers, telco 3rd party contractors)	skeleton	100%	100%	100%
Energy and power companies (incl. 3rd party contractors) across transmission, distribution, maintenance, retail, exploration, operations, trading and delivery of raw materials (incl. refineries and depots)	skeleton	100%	100%	100%
Gasoline Stations	skeleton	100%	100%	100%
Workers accredited by the DOTr to work on utility relocation works, and specified limited works across thirteen (13) railway projects, including replacement works for the Metro Manila Rail Transit System Line 3	skeleton with on-site or near-site accommodations and/or point-to-point shuttle services whenever applicable	100%	100%	100%
Airline and aircraft maintenance, pilots and crew, and employees of aviation schools for purposes of the pilot's recurrent training for flight proficiency and type rating using simulator facilities; and ship captains and crew, including shipyard operations and repair	skeleton	100%	100%	100%
Public and private construction projects that are essential (i.e., quarantine and isolation facilities for PUMs, and suspect, and confirmed COVID-19 patients, facilities for the health sector including those dealing with PUMs and suspect, and confirmed COVID-19 patients, facilities for construction personnel who perform emergency works, flood control, and other disaster risk reduction and rehabilitation works, sewerage projects, water service facilities projects, and digital works, health facilities). Priority public and private construction projects, defined as those that refer to food production, agriculture, fishery, fishport development, energy, housing, communication, water utilities, manufacturing, and BPO, subject to guidelines to be issued by the DPWH	100% only major public construction projects	100% except small scale projects	100%	100%
Manufacturing companies and suppliers of equipment or products necessary to perform construction works, such as cement and steel	100% only suppliers of major public construction projects	100%	100%	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
Business Process Outsourcing (BPO) and Export-oriented companies, including mining and quarrying	100% WFH; on-site or near site accommodation OR point-to-point shuttle service	100% without need to set up on-site or near site accommodation or point-to-point shuttle service	100%	100%
Printing presses authorized by the BIR or other appropriate agencies to print official receipts and other accountable forms	100%	100%	100%	100%
Media Establishments	50%	100% without need for PCOO accreditation	100%	100%
CATEGORY II				
Other Manufacturing • Beverages (e.g. alcoholic drinks) • Electrical Machinery • Wood products, Furniture • Non-metallic products • Textiles / Wearing apparels • Tobacco products • Paper and Paper products • Rubber and Plastic products • Coke and Refined Petroleum products • Other non-metallic mineral products • Computer, Electronic and Optical Products • Electrical Equipment • Machinery and Equipment • Motor Vehicles, Trailers and Semi-Trailers • Other Transport Equipment • Others	not allowed	50%	100%	100%
Mining and Quarrying	skeleton WFH; on-site or near site accommodation or point-to-point shuttle service	100% only export- oriented mining companies without need for provision of on-site or near site accommodation	100% export-oriented 100% domestic effective Oct 3	100%
Electronic commerce companies	100%	100%	100%	100%
Postal, courier and delivery services for articles or products other than <i>food, medicine, or other essential goods, including clothing, accessories, hardware, house wares, school and office supplies, as well as pet food and other veterinary products</i>	skeleton	100%	100% maximum operating hours allowed up to 1 AM	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
<p>Hotel and other accomodation establishments <i>Guests that may be allowed:</i></p> <p><i>Accreditation requirement</i></p> <p><i>Services allowed</i></p>	skeleton	skeleton	skeleton	50%
<p><i>Ancillary establishments</i></p>	ancillary establishments within the premises such as restaurant, bars, gyms, spas, and the like shall not be allowed to operate or to provide room service	bars, gyms, spas, and the like shall not be allowed to operate or to provide room service	restaurants and cafes allowed to operate at 30% venue capacity and maximum operating hours up to 11 PM	only those accredited as provided by law and relevant DOT and DILG issuances may operate, and only upon issuance of a Certificate of Authority to operate by the DOT
<p>Real estate activities (including parking space leasing companies)</p>	skeleton leasing only	100% leasing 50% other real estate activities	100%	100%
<p>Housing service activities, such as but not limited to plumbing, roofing, and electrical works</p>	skeleton	100%	100%	100%
<p>Office Administrative and Office Support (such as photocopying, billing, and record keeping services)</p>	not allowed	50%	50-100%	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
Veterinary Activities	skeleton	100%	100%	100%
Security and Investigation Activities	skeleton	100%	100%	100%
Funeral and embalming services	skeleton except funeral parlors; and provided there is shuttling service and/or housing accommodation for staff	100%	100%	100%
CATEGORY III				
Banks, money transfer services, pawnshops, microfinance institutions, and credit cooperatives	skeleton	100%	100%	100%
Capital markets (e.g., BSP, SEC, PDEC, PDTC, etc.)	skeleton	100%	100%	100%
Other financial services (e.g., money exchange, insurance, reinsurance, lending companies, and non-compulsory pension funding)	not allowed	50%	100%	100%
Legal and Accounting	not allowed	50%	100%	100%
Management Consultancy Activities	not allowed	50%	100%	100%
Architecture and Engineering Activities; Technical Testing and Analysis	not allowed	50%	100%	100%
Scientific and Research Development	not allowed	50%	100%	100%
Advertising and Market Research	not allowed	50%	100%	100%
Computer programming (such as writing, modifying, testing and supporting software, planning and designing computer systems), information service activities (such as data processing and hosting activities) and other related activities	not allowed	50%	100%	100%
Publishing and printing services (such as printing of newspapers, magazines, and other periodicals, books, brochures, manuscripts, posters, maps, atlases, advertising catalogues, prospectuses, etc; printing directly onto textiles, plastic, glass, metal wood, and ceramics)	not allowed	50%	100%	100%
Film, music, and TV production	not allowed	50%	100%	100%
Rental and Leasing Activities, other than real estate, e.g., vehicle rental, equipment rental for permitted sectors)	not allowed	100%	100%	100%
Employment Activities that involve recruitment and placement for permitted sectors	not allowed	100%	100%	100%
Recruitment and placement agencies for overseas employment	not allowed	50%	100%	100%
Other services such as photography; fashion, industrial, graphic, and interior design	not allowed	50%	100%	100%
Wholesale and retail trade of motor vehicles, motorcycles, and bicycles, including their parts and components	not allowed	50%	100%	100%

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BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
Repair of motor vehicles, motorcycles, and bicycles, (including vulcanizing shops, battery repair shops, auto repair shops, car wash)	not allowed	50%	100%	100%
Dining/Restaurants, subject to guidelines issued by DTI	50% delivery and take out only	50% delivery and take out only	50% & higher for dine-in services effective Oct 3 allowed to operate 24 hrs a day effective Oct 3	75% for dine-in services effective July 21 allowed to operate 24 hrs a day effective Oct 3
Malls and commercial centers (non-leisure only), subject to guidelines issued by DTI	not allowed	50%	100% maximum operating hours up to 11 PM	100%
Non-leisure whole sale and retail establishments (mall-based or otherwise) such as:			maximum operating hours up to 11 PM, as applicable	
Mall-based government frontline services	skeleton	skeleton	100%	100%
Hardware stores	not allowed	50%	100%	100%
Clothing and accessories	not allowed	50%	100%	100%
Bookstores and school and office supplies stores	not allowed	50%	100%	100%
Baby or infant care supplies stores	not allowed	50%	100%	100%
Pet shops, pet food and pet care supplies	not allowed	50%	100%	100%
IT, communications, and electronic equipment	not allowed	50%	100%	100%
Flower, jewelry, novelty, antique, perfume shops	not allowed	50%	100%	100%
Toy store (playgrounds and amusement area closed)	not allowed	50%	100%	100%
Music stores	not allowed	50%	100%	100%
Art galleries (selling only)	not allowed	50%	100%	100%
Firearms and ammunition trading establishment	not allowed	50%	100%	100%
			subject to strict regulation of the PNP-Firearms and Explosives Office	
All other public and private construction projects, subject to strict compliance to the issued construction safety guidelines for the implementation of infrastructure projects during the COVID-19 pandemic by the DPWH	not allowed	not allowed	100%	100%
Establishments offering personal care services				
Barbershops and Salons	not allowed	not allowed	75% effective October 3 all services allowed except full body massage effective August 01	75% effective July 16
All other establishments offering personal care (except full body massage) and aesthetic procedures and services	not allowed	not allowed	30% effective August 01	50%


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BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
<p>Gyms/Fitness studios and Sports Facilities</p> <p><i>Gyms and Fitness studios</i></p> <p><i>Sports Facilities: limited to non-contact sports and other forms of exercise such as walking, jogging, running, biking, golf, swimming, tennis, badminton, equestrian, range shooting, and skateboarding</i></p>	not allowed	not allowed	<p>30%</p> <p>effective August 01; limited to individual workouts only. Group workout sessions composed of two (2) or more persons (e.g. zumba, yoga, pilates, etc.) shall be strictly prohibited.</p> <p>outdoor setting only;</p> <p>restaurants and cafes therein allowed at 30% venue capacity only with maximum operating hours up to 11 PM</p>	<p>50%</p> <p>outdoor and indoor setting allowed</p>
<p>Testing and tutorial centers</p>	not allowed	not allowed	<p>30%</p> <p>effective August 01; maximum of 10 pax inside the venue subject to compliance with social distancing protocols</p>	<p>50%</p>
<p>Review centers</p>	not allowed	not allowed	<p>30%</p> <p>effective August 01; only for health-related professions (i.e., physicians</p>	<p>50%</p>
<p>Internet cafes</p>	not allowed	not allowed	<p>30%</p> <p>effective August 01; only for work or educational purposes</p>	<p>50%</p> <p>only for work or educational purposes</p>
<p>Drive-in cinemas</p>	not allowed	not allowed	<p>30%</p> <p>effective August 01</p>	<p>50%</p>
<p>Pet grooming services</p>	not allowed	not allowed	<p>30%</p> <p>effective August 01</p>	<p>50%</p>

BUSINESS ESTABLISHMENTS/ACTIVITIES	ECQ	MECQ	GCQ	MGCQ
CATEGORY IV				
Language, driving, dance/acting/voice schools	not allowed	not allowed	not allowed	50%
Entertainment industries (e.g., traditional cinemas, theaters, etc.)	not allowed	not allowed	not allowed	50%
Libraries, archives, museums and cultural centers	not allowed	not allowed	not allowed	50%
Tourist destinations (e.g., water parks, beaches, resorts)	not allowed	not allowed	not allowed	50%
Travel agencies, tour operators, reservation service and related activities	not allowed	not allowed	skeleton primarily to do administrative works such as the processing of refunds and payments to suppliers	50%
Full-body massage	not allowed	not allowed	not allowed	50%
Tattoo & body piercing	not allowed	not allowed	not allowed	50%
Live Events (subject to DOT Guidelines on Meetings, Incentives, Conventions, Exhibitions & Business Events (MICE Events)	not allowed	not allowed	not allowed	50%
NEGATIVE LIST: BUSINESS ACTIVITIES NOT ALLOWED TO OPERATE IN AREAS DECLARED UNDER ANY FORM OF COMMUNITY QUARANTINE				
Holding of traditional cockfighting & operation of cockpits				
Beerhouses & similar establishments whose primary business is serving of alcoholic drinks (e.g. Nightclubs)				
Kid amusement industries (e.g., playrooms, rides)				

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