



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION VIA ZOOM MEETING OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE PROVINCE OF BATAAN ON OCTOBER 12, 2020

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

SECOND DISTRICT:

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member

- Hon. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

ABSENT:

None

**PROVINCIAL ORDINANCE NO. 13
Series Of 2020**

ORDINANCE MANDATING THE USE OF THE PRESCRIBED QR CODE SYSTEM RELATIVE TO THE ENTRY OF PERSONS IN THE PROVINCE OF BATAAN AS A MEASURE TO MITIGATE THE SPREAD OF THE COVID-19 VIRUS.

Sponsored by: Hon. Godofredo B. Galicia, Jr., M.D.

WHEREAS, President Rodrigo Roa Duterte issued Presidential Proclamation No. 922 series of 2020 declaring a State of Public Health Emergency throughout the Philippines given the COVID-19 pandemic, enjoining all government agencies and Local Government Units (LGU) to render full assistance and cooperation during the pendency of this health crisis;

ALBERT S. GARCIA
Provincial Governor

"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

SANGGUNIANG PANLALAWIGAN
CAPITOL BATAAN
RELEASED
OCT 28 2020

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WHEREAS, in order to overcome the present threat of COVID-19, the Province of Bataan must require simultaneous efforts on different fronts;

WHEREAS, under Section 5.1.1. of DILG Memorandum Circular No. 2020-962 entitled "Supplementary LGU Guidelines on the Implementation of Enhanced Community Quarantine in Luzon, and State of Public Health Emergency in Other Parts of the Country due to the COVID-19 Threat", LGUs are to take the lead in the prevention and control of the spread of COVID-19 virus at the local level;

WHEREAS, the Provincial Task Force against COVID-19 issued Resolution No. 22-2020, requiring the use of a QR Code System as a requirement for the entry of all persons to the Province of Bataan, in response to COVID-19 virus transmissions that were traced-back to Authorized Persons Outside of Residence, who unknowingly brought the virus into the province as they entered the province asymptomatic or while failing to observe proper health protocols;

WHEREAS, the challenges posed by this pandemic require the Province of Bataan to adapt to technologies that could help curb and eliminate the threat of COVID-19 virus;

WHEREAS, the Department of the Interior and Local Government (DILG), through Memorandum Circular No. 2020-077, encourages local government units to make use of any available technology or application that could assist them in their actions particularly for contact tracing;

WHEREAS, there is a need to adopt additional concrete measures to prevent, contain and restrict the spread of infectious/communicable diseases, pandemics, epidemics, and/or outbreaks of diseases;

WHEREAS, the utilization of a QR Code System can effectively undertake the examination and approval of entries to the Province of Bataan with minimal physical interaction, and is an effective tool in monitoring health conditions of those allowed entry;

NOW THEREFORE, BE IT ENACTED, in regular session assembled that:

Section 1. Title - This Ordinance shall be known as "Ordinance Mandating the Use of the Prescribed QR Code System Relative to the Entry of Persons in the Province of Bataan".

Section 2. Definition of Terms -

- a. Community Quarantine - any restriction imposed by the National Government on the movement of people and goods which is intended to prevent the spread of COVID-19. Community Quarantine includes, but is not limited to Enhanced Community Quarantine and/or General Community Quarantine or any modification thereof;

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Provincial Governor

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- b. Authorized Persons Outside Residence (APOR) - persons who are allowed to go out by virtue of their work or profession, subject to the classification and/or restrictions by the proper government office;
- c. Returning Overseas Filipinos (ROF) - Overseas Filipino Workers (OFW) who are arriving/returning to the Province of Bataan during the period of community quarantine or while the threat of Covid-19 is still subsisting;
- d. Locally Stranded Individuals (LSI) - Local workers, students, local/foreign tourist, individuals stranded in the Province of Bataan while under community quarantine;
- e. Quick Response (QR) Code System – is a scheme which utilizes a matrix barcode that is optically readable and contains relevant information about the person to whom it is issued, and which is going to be used in monitoring and data-basing facts and circumstances pertaining to the entry of persons into the Province of Bataan;
- f. GET-PASS – is a mobile device app that can implement border control measures through online registration and information gathering which can be monitored and updated through the use of a QR Code System.

Section 3. QR Code System for Entry of APOR - A QR Code System is hereby mandated to be utilized in connection with the entry of APORs into the Province of Bataan. The implementation of the same shall strictly be undertaken following the herein-below guidelines:

- a. Prior to entry into the Province of Bataan, an APOR needs to download the *GET-PASS* mobile device application ("app") at either the Google Play Store or the Apple App Store;
- b. The registration process of the *GET-PASS* app shall be followed truthfully and accurately by supplying the needed information and by making the necessary health declarations;
- c. A QR Code shall then be generated, containing the information provided by the APOR;
- d. Such QR Code will be presented for scanning at checkpoints located at the province's entry points and other designated areas or establishments, prior to gaining entry into the Province of Bataan or such specific locations;
- e. QR Codes shall be regenerated daily using the mobile device for purposes of updating the same.

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Section 4. Returning Overseas Filipinos (ROFs) and Locally Stranded Individuals (LSIs) - The Guidelines and Protocols in the Management of Returning ROFs and LSIs shall be strictly implemented pursuant to the Bataan IATF Resolution No. 11 and other relevant issuances. The QR Code System provided in the foregoing shall likewise be applicable for ROFs and LSIs.

Section 5. Privacy And Confidentiality - The data or information gathered through the GET-PASS application shall be used exclusively and principally for COVID-19 monitoring, investigation, contact tracing and policy purposes. Hence, all data or information obtained are strictly confidential and shall not be published or disclosed to the public.

In order to ensure that the data privacy rights are respected and that the data or information processed are protected, the provisions on data privacy under Republic Act No. 11332 or the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, the provisions of Republic Act No. 10173, or the Data Privacy Act of 2012, its Implementing Rules and Regulations and other issuance of National Privacy Commission shall be strictly observed and complied with.

Section 6. Prohibited Acts – The following acts shall be prohibited under this Ordinance:

- a. The use of a false name/identity or other material information required during the online registration on the GET-PASS mobile device app;
- b. The submission of false health declaration on the GET-PASS mobile device app;
- c. Allowing other persons to use one's QR Code or using another person's QR Code for purposes of gaining entry into the Province of Bataan or designated areas or establishments;

Section 7. Penalties – The following penalties shall be imposed for any violation of the provisions of this Ordinance:

First Offense	7 day imprisonment and/or PhP2,000.00 fine, at the discretion of the Court
Second Offense	15 day imprisonment and/or PhP3,000.00 fine, at the discretion of the Court.
Third and Succeeding Offenses	30 day imprisonment and/or PhP5,000.00 fine, at the discretion of the Court.

The above penalties shall be without prejudice to the government's option to file other actions, in addition or in the alternative, in accordance with other existing laws, rules and regulations.

ALBERT S. GARCIA
Provincial Governor

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Section 8. Implementing Agencies - The Philippine National Police, Armed Forces of the Philippines, Metro Bataan Development Authority (MBDA), respective City/Municipal Marshals, Barangay Tanods and deputized task force agents shall have the duty and power to enforce the provisions of this Ordinance.

Section 9. Repealing Clause - All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly;

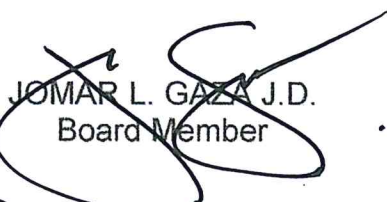
Section 10. Separability Clause - If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions thereof.

Section 11. Effectivity Clause - This Ordinance shall take effect immediately upon compliance with the requirements of the relevant provision of Republic Act No. 7160 and shall continue notwithstanding the lifting of ECQ or MCQ, or any modification thereof, or while the threat of COVID-19 is still persisting, subject to the issuance and/or guidelines of the proper government office.

APPROVED UNANIMOUSLY.


SEVERINO P. SALAZAR
Secretary to the SP


BENJAMIN C. SERRANO, JR.
Board Member


JOMAR L. GAZA, J.D.
Board Member


REYNALDO T. IBE, JR.
Board Member


GODOFREDO B. GALICIA, JR., M.D.
Board Member


MARIA KRISTINE G. DELA FUENTE
Board Member


MARIA MARGARITA R. ROQUE
Board Member


ALBERT S. GARCIA
Provincial Governor



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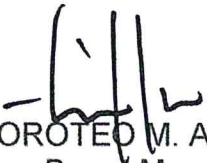
Manuel N. Beltran


MANUEL N. BELTRAN
Board Member


EDGARDO P. CALIMBAS
Board Member


JOSE C. VILLAPANDO, SR.
Board Member


ROMANO L. DEL ROSARIO
Board Member


DOROTEO M. AUSTRIA
Board Member
(FABC President)


NOEL JOSEPH L. VALDECAÑAS
Board Member
(PCL President)


PRECIOUS D. MANUEL
Board Member
(SKF President)



ROSITA N. SISON
Board Member
(IPM Representative)

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ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor
(Presiding Officer)

APPROVED:


ALBERT S. GARCIA
Provincial Governor
Date: 10-28-2020

Manuel N. Beltran

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