



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 14TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON OCTOBER 10, 2022 HELD AT FORTUNE RESTAURANT, BALANGA CITY, BATAAN

PRESENT:

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

FIRST DISTRICT:

Hon. Antonino B. Roman III, J.D., LL.M., Board Member
Hon. Benjamin C. Serrano, Jr., Board Member
Hon. Jomar L. Gaza J.D., Board Member

SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member
Hon. Manuel N. Beltran, Board Member
Hon. Noel Joseph L. Valdecañas, Board Member

THIRD DISTRICT:

Hon. Romano L. Del Rosario, Board Member
Hon. Jorge S. Estanislao, M.D., Board Member
Hon. Angelito M. Sunga, Board Member
Hon. Roman Harold R. Espeleta, Board Member

Hon. Jovy Z. Banzon, Board Member (PCL President)
Hon. Doroteo M. Austria, Board Member (FABC President)
Hon. Precious D. Manuel, Board Member (SKF President)

ABSENT:

None

PROVINCIAL ORDINANCE NO. 23 Series of 2022

AN ORDINANCE ESTABLISHING AND INSTITUTIONALIZING THE PROVINCIAL PERSONAL DATA CARD SYSTEM OF THE PROVINCE OF BATAAN.

SPONSORED BY:

HON. MARIA MARGARITA R. ROQUE
HON. JOMAR L. GAZA J.D.

WHEREAS, Section 2 of Republic Act (R.A.) No. 7160 provides that it is the policy of the State that its territorial and political subdivisions shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals;

WHEREAS, the Provincial Personal Data Card System is one of the prime implements in the poverty alleviation drive of the Provincial Government of

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Provincial Governor

“EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL”

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Bataan through which vital information of each and every Bataeños will be stored and utilized in the implementation of programs and decision-making process of the leaders of various local government units in the Province of Bataan;

WHEREAS, the establishment of the Provincial Personal Data Card System will provide a reliable database of socio-economic status of residents of the province for effective program beneficiary identification as well as program monitoring and evaluation;

WHEREAS, the province recognizes that an up-to-date and fast access to the socio-economic profile of each and every Bataeños with premium on their right to privacy is vital for a responsive, fast-acting and wholistic approach to combat poverty and uplift the quality of life in Bataan;

WHEREAS, R.A. No. 11315, or the Community-Based Monitoring System (CBMS) Act, allows provinces to utilize CBMS generated data in local governance processes such as but not limited to local planning, investment programming, budgeting, program identification and implementation, as well as disaster reduction and management measures;

WHEREAS, the Provincial Personal Data Card System shall be based on and utilize CBMS generated data and shall serve as an economic and social tool towards the objective of attaining progress and development through efficient services and programs for the constituency;

WHEREAS, Section 6 of Provincial Ordinance No. 22 s. 2022, or the "Matatag na Pamilyang Bataeño Ordinance of 2022", provides that the Provincial Personal Data Card shall be integrated as one of the eligibility requirement for coverage under the poverty-alleviation programs of the Provincial Government of Bataan (PGB);


NOW, THEREFORE, on joint motion of Hon. Maria Margarita R. Roque and Hon. Jomar L. Gaza J.D., duly seconded by all the members present;

BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG PANLALAWIGAN OF BATAAN, BY VIRTUE OF THE POWERS VESTED IN BY LAW, IN SESSION ASSEMBLED.

Section 1. Title - This Ordinance shall be known as the "Provincial Personal Data Card Ordinance of 2022."

Section 2. Declaration of Policies and Principles - It is hereby declared a policy of the Province of Bataan to establish and institutionalize a Provincial Personal Data Card (PPDC) System to determine the general socio-economic status of its residents and to maintain a reliable database containing information pertaining thereto in consonance with the vision to uplift the lives of the residents of the province and to empower its component local government units.

Given the magnitude of this endeavor, new and innovative strategies and modern measures are necessary. The PPDC System will be a helpful mechanism


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Provincial Governor





















in collecting and storing relevant socio-economic information needed by decision-makers and planners to come up with targeted, effective, and direct services and programs for the residents of the province.

The PPDC System further maximizes the use of CBMS generated data while providing for a secured and organized database for relevant socio-economic information on the residents of the province - which are important in orienting policies and implementing effective programs.

The PPDC System will not in any way be calibrated to infringe on the right to privacy of any individual but will be mindful of it in compliance with relevant laws and rules.

Section 3. Purposes - This Ordinance is enacted with the following purposes:

- a) To establish and institutionalize a PPDC System;
- b) To cause the registration of covered residents of Bataan under the system; and
- c) To appropriate the necessary funds for the establishment, implementation, and maintenance of the system;

Section 4. Definition of Terms - As used in this Ordinance, the following terms shall mean:

- a. Provincial Personal Data Card (PPDC) System - a computer-based system to be developed by the PGB that will contain information and data gathered by the city and municipalities and shared with the province in accordance with the CBMS Act.
- b. Provincial Personal Data Card - refers to the non-transferable ID card to be issued by the PGB to residents of the province containing CBMS data and relevant personal and biometric information.
- c. Community-Based Monitoring System (CBMS) - refers to an organized technology-based system of collecting, processing, and validating necessary disaggregated data that may be used for planning, program implementation, and impact monitoring at the local level. It involves generation of data at the local level which serves as basis in targeting households in the planning, budgeting, and implementation of government programs geared towards poverty alleviation and economic development.
- d. Data - refer to the information gathered through the CBMS which include the compendium of localized facts, figures, and maps on the different dimensions of poverty such as health, nutrition, water, sanitation, shelter, education, income, employment, security, and participation.
- e. Data Sharing - refers to the disclosure or transfer to a third party of personal data under the custody of a personal information controller or personal information processor. In the case of the latter, such disclosure or transfer must have been upon the instructions of the personal

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information controller concerned. The term excludes outsourcing, or the disclosure or transfer of personal data by a personal information controller to a personal information processor.

Section 5. Covered Residents - Permanent residents of Bataan or those who have resided therein for at least one (1) year, Filipinos, and at least 18 years old are qualified to register with the PPDC System thus entitling them to the benefits and advantages provided herein and in other Ordinances.

Section 6. Functional Use of Provincial Personal Data Card - The Provincial Personal Data Card shall function as:


- a. Proof of residency to simplify transactions with private and public establishments including transactions with the offices and departments of the PGB;
- b. Valid proof of identity of bona fide residents of the province;
- c. Provide PGB with a complete, updated, and accurate database of its constituents for faster and effective delivery of services;
- d. Requirement for coverage in poverty-alleviation and assistance programs of the PGB in accordance with the Matatag na Pamilyang Bataeño Ordinance of 2022;
- e. Proof of identity for the province's health, social services, and relief assistance in case of emergencies and relief operations; and
- f. Such other purposes or uses that the PGB may prescribe.

Section 7. Registration - The PGB, through the Provincial Information Technology Office (PITO), shall facilitate the registration of the residents with the PPDC System in coordination with component local government units of the province.

The PGB shall ensure that the registration is compliant with all relevant laws, rules and regulations, and more particularly, shall strictly accord respect for the right to privacy of an individual, consistent with prevailing law.

Section 8. Data Collection - In registration and enrollment under the PPDC System, data collected and stored for every resident shall be limited to data shared by the city and municipalities to the province in accordance with the provisions of the CBMS Act. Collection and storage of data and information shall likewise comply with CBMS Act and R.A. No. 10173, or the Data Privacy Act of 2012.

Section 9. Data Use and Sharing - Subject to the provisions of the CBMS Act and the Data Privacy Act, the PGB shall have primary access to the data to be collected and will have the right to use the same in accordance with the objectives of this Ordinance. Under similar limitations, the PGB may share data collected and stored in the PPDC System to national government agencies and departments, public institutions, non-government agencies and organizations for the development and implementation of programs, services, and projects for the constituency of the province.


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Section 10. Implementation - The Provincial Governor is hereby authorized to promulgate the Implementing Rules and Regulations for the effective implementation of this Ordinance, without prejudice to relevant laws, rules and regulations. Further, the Provincial Governor may organize the necessary technical working groups or committees to effectively facilitate the registration, data collection, and monitoring relative to the implementation of this Ordinance.

Section 11. Penal Provisions -

- a. Any person who utilizes the Provincial Personal Data Card to commit any fraudulent act or for other unlawful purpose shall be punished with a penalty of 6-month imprisonment and/or a PhP5,000 fine, at the discretion of the Court.
- b. The willful submission of false information in the registration with the PPC System shall be punished with a penalty of 1-month imprisonment and/or a PhP5,000 fine, at the discretion of the Court.
- c. The unauthorized printing, preparation, issuance, and distribution of the PPDC shall be punished with a penalty of 1-month imprisonment and/or a PhP5,000 fine, at the discretion of the Court.
- d. Any person who utilizes data or information collected in relation to the PPDC System in a manner or for purposes other than those provided in this Ordinance or relevant laws shall be punished with a penalty of 6-month imprisonment and/or a PhP5,000 fine, at the discretion of the Court.
- e. Any person who discloses and/or publishes data or information collected in relation to the PPDC System shall be punished accordingly under the provisions of the CBMS Act and the Data Privacy Act.

The foregoing shall be without prejudice to any other criminal offense that may be filed against such person under pertinent laws.

Section 12. Rules and Interpretation - In the interpretation of the provisions of this Ordinance, the following rule shall apply:

- a. Any provision of this Ordinance shall be liberally interpreted in favor of the best interest of the entire residents of the Province of Bataan.
- b. The provisions on the purposes of this Ordinance shall be liberally interpreted to accelerate the development and upliftment of the quality of life of each and every resident of the Province of Bataan.

Section 13. Appropriations - The PGB shall appropriate funds as part of its annual budget for the implementation of the PPDC System. The PGB shall allocate funds necessary for the implementation of this Ordinance, the training and orientation of stakeholders, the reproduction and distribution of the PPDC and the cost of the promotion and information dissemination of this program to the general public.


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Section 14. A full copy of this Ordinance shall be made available and be posted upon at all times in conspicuous places in the Provincial Capitol, the City Hall of Balanga and Municipal Halls, in every Barangays Halls, and in such other places appropriate.

Section 15. All those who will validly register with the PPDC System shall be issued with a PPDC, which shall be considered as a government-issued identification document.

Section 16. Separability Clause - If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected shall remain in full force and effect.

Section 17. Applicability Clause - The pertinent provisions of existing laws and other ordinances shall govern all other matters relating to the impositions or regulations provided in this Ordinance. This Ordinance shall apply to all the people within the territorial jurisdiction of the Province of Bataan.

Section 18. Repealing Clause - All ordinances, resolutions, executive orders and other issuances, which are inconsistent with any of the provision of this Ordinance, are hereby repealed or modified accordingly.

Section 19. Effectivity Clause - This Ordinance shall take effect in accordance with the provisions of the Local Government Code.


UNANIMOUSLY ENACTED this 10th day of October 2022.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ATTY. MARK LORENZ C. QUEZON
Secretary to the Sangguniang Panlalawigan


ANTONINO B. ROMAN III, J.D., LL.M.
Board Member


MARIA MARGARITA R. ROQUE
Board Member


BENJAMIN C. SERRANO, JR.
Board Member


MANUEL N. BELTRAN
Board Member


JOMAR L. GAZA J.D.
Board Member


NOEL JOSEPH L. VALDECAÑAS
Board Member


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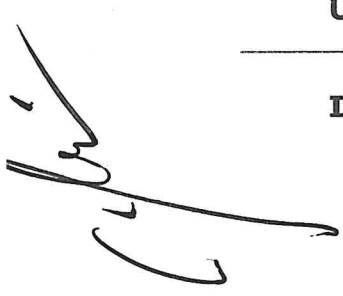

















ROMANO L. DEL ROSARIO
Board Member


ANGELITO M. SUNGA
Board Member


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Board Member


ROMAN HAROLD R. ESPELETA
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JOVY Z. BANZON
Board Member
(PCL President)


DOROTEO M. AUSTRIA
Board Member
(FABC President)


PRECIOUS D. MANUEL
Board Member
(SKF President)

ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor & Presiding Officer

APPROVED:


JOSE ENRIQUE S. GARCIA III
Provincial Governor
Date: 10-19-2022













