



Republic of the Philippines
Province of Davao Oriental
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
SP Complex, Government Center, Dahican
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 86TH REGULAR SESSION OF THE 16TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL, HELD ON WEDNESDAY, FEBRUARY 17, 2021, AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Niño Sotero L. Uy, Jr. – *via zoom* Vice Governor - Presiding Officer

Regular Members:

District I

Hon. Nelson R. Dayanghirang, Jr.
– *via zoom*
Hon. Dante M. Caubang – *via zoom*
Hon. Marietta D. Palmera – *via zoom*
Hon. Laureano B. Taya – *via zoom*

District II

Hon. Anacleto P. Macatabog
Hon. Lemuel Ian M. Larcia – *via zoom*
Hon. Dennis V. Roflo, Jr.

Ex-Officio Members:

Hon. Charlie S. Ambasan
Hon. Rustan R. Castellones
Hon. Ronald T. Lara, Jr.

Indigenous Peoples' Mandatory Representative – *via zoom*
President, Liga Ng Mga Barangay – *via zoom*
Sangguniang Kabataan Provincial Federation President

ABSENT:

Hon. Louis N. Rabat
Hon. Enrico M. Antopuesto
Hon. Joselito B. Villademoso
Hon. Rabsalon M. Lamaran

SP Member, District II – Sick Leave
SP Member, District II
SP Member, District I
President, Philippine Councilor's League

PROVINCIAL ORDINANCE NO. 16-56-02-2021

Author : Hon. Joselito B. Villademoso
Co-Author : Hon. Anacleto P. Macatabog
Sponsor : Hon. Anacleto P. Macatabog

AN ORDINANCE ESTABLISHING POLICIES AND GUIDELINES IN THE IMPLEMENTATION OF DAVAO ORIENTAL DIGITAL CONTACT TRACING SYSTEM (DAVOR-DCTS) WITHIN THE PROVINCE OF DAVAO ORIENTAL AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the World Health Organization (WHO) and the Department of Health have declared COVID-19 a pandemic;

WHEREAS, His Excellency, President Rodrigo R. Duterte issued Presidential Proclamation No. 1021 extending the State of Calamity in the country until September 12, 2021;

WHEREAS, there is still an increasing trend in the number of cases in the province due to relaxed restrictions during a Modified General Community Quarantine (MGCQ) setting;

WHEREAS, a prompt and efficient contact tracing mechanism is one of the primordial activities in containing the virus and putting a halt to its transmission;

WHEREAS, manual contact tracing needs to be complemented with technological advancement to provide alternative check and balances;

WHEREAS, the paper and pen contact tracing form in establishments have severely compromised the privacy of data and is a potential source of transmission of the virus;

WHEREAS, there is a need to institutionalize the Davao Oriental Digital Contact Tracing System (DAVOR-DCTS) to implement contactless data gathering and electronic data storage;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides that: "every local government unit shall exercise the powers 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 the general welfare. xxx";

WHEREAS, Section 468 (4) (v) of the same Code, mandates the Sangguniang Panlalawigan to "approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases within its territorial jurisdiction";

WHEREFORE, on motion of SP Member Anacleto P. Macatabog, duly and jointly seconded by SP Members Laureano B. Taya, Rustan R. Castellones, Marietta D. Palmera, Charlie S. Ambasan, and Nelson R. Dayanghirang, Jr., it was

Be it ordained by the 16th Sangguniang Panlalawigan of Davao Oriental in session duly assembled that:

SECTION 1. SHORT TITLE. – This ordinance shall otherwise be known as "Davao Oriental Digital Contact Tracing Ordinance".

SECTION 2. SCOPE OF COVERAGE. – This ordinance shall cover all residents, government and private offices, business establishments, and visitors within the territorial jurisdiction of the Province of Davao Oriental, to include public utilities and spaces, such as but not limited to public markets, public terminals and public transport, places of worship, educational institutions, resorts, and similar establishments.

SECTION 3. DEFINITION OF TERMS:

- a) **Davao Oriental Digital Contact Tracing System (DAVOR-DCTS)** – an electronic contact tracing system and travel pass platform.
- b) **QR Code** – a unique quick response code used by the DAVOR-DCTS.
- c) **Enclosed spaces establishments** – refer to establishments that is open to public but has limited openings for entry and exit, does not have adequate ventilations, and could accommodate limited number of persons.
- d) **Public Places** - refer to all places that are accessible or open to the public or places for collective use, such as workplaces, schools, and government offices and the like.



g 11 Dec 2021



- e) **Suspect case** – an individual who have mild, severe or critical symptoms but is not tested or awaiting test results.
- f) **Probable case** – a suspect case that testing for COVID-19 is inconclusive.
- g) **Confirmed case** – a COVID-19 positive case.
- h) **Community Service** - refers to the actual render of physical activity or services for specific number of hours or days as penalty in lieu of payment of fines or imprisonment for violations of an ordinance.

SECTION 4. REGISTRATION TO DAVAO ORIENTAL DIGITAL CONTACT TRACING SYSTEM (DAVOR-DCTS)

- 4.1. **USE OF QR CODE.** The DAVOR-DCTS uses a QR Code to be implemented for the following:
 - 4.1.1. As supplementary to the contact tracing effort of the Local Task Force COVID-19;
 - 4.1.2. As preventive/control measure to deter quarantine individuals who are tagged as COVID-19 probable, suspects, and confirmed cases as these aforesaid individuals will be denied entry through their QR code identification.
- 4.2. **QR CODE REGISTRATION FOR DAVAO ORIENTAL RESIDENTS.** All Davao Oriental residents who are authorized persons outside residence have undertaken a manual registration process. Anent this, they are issued with Davao Oriental – Digital Contact Tracing System card with a one-time, permanent and unique QR code. All individuals are tasked to attach their 1x1 ID picture on the Davor-DCTS card. All holders must keep their IDs with QR code confidential and they shall be prohibited from publicly posting them to avoid identity theft.
- 4.3. **QR CODE REGISTRATION FOR NON-DAVAO ORIENTAL RESIDENTS AND MEMBERS OF OTHER SECTORS NOT INCLUDED IN THE MANUAL REGISTRATION PROCESS** – All non-Davao Oriental residents, tourists and members of other sectors who were not able to manually register to the DAVOR-DCTS system will register using the following:
 - 4.3.1. **Online Registration** - They will have to access the link provided in the Provincial Government of Davao Oriental official website and input the required fields and upload a government issued ID to prove their identity;
 - 4.3.2. **Walk-in Registration** – Each City/Municipal Government as well as the PDRRMO Operations Center will provide a designated area for this purpose. As such, all individuals below 18 years old and above 65 years old will be able to apply for a QR code through this walk-in registration. For individuals who are not an Authorized Person Outside Residence (APOR), they should bring along with them a Barangay Certification justifying their need for a

Handwritten vertical text: 11/11/2021

QR Code. They should also bring along with them any Government Issued ID for validation.

SECTION 5. MANDATORY USE OF DAVOR-DCTS QR CODE SCANNER AND THEIR ATTACHED RESPONSIBILITIES

5.1. The following shall use a QR code scanner:

5.1.1. All Border control points;

5.1.2. All event venues, hospitals, hotels, malls, stores, groceries, mini-marts, restaurants, carinderia, palengkes, places of worship, educational institutions, resorts, and similar enclosed space establishments, as defined in this Ordinance;

5.1.3. All private and government offices, establishments, and organizations shall prepare their Davor-DCTS QR Code scanner for all individuals entering and exiting their area;

5.1.4. Modes of public transportation/ public utility vehicles that are operating within the province such as buses and vans.

5.2. All those who are mandated under this Section to scan the QR CODES shall be liable to keep all the records confidential pursuant to Republic Act 10173 or the Data Privacy Act.

SECTION 6. TAGGING OF PROBABLE, SUSPECT, CONFIRMED COVID-19 IN THE DAVOR-DCTS SYSTEM. The DAVOR-DCTS is a preventive/control measure to deter quarantined individuals who are tagged as COVID-19 probable, suspects, and confirmed cases from leaving their quarantine facilities without prior authority.

6.1. Once identified by their respective local health surveillance units and/or through the QR Code contact tracing mechanism, all aforesaid individuals will be tagged as provided for by their case classification by the Provincial Health office surveillance unit.

6.2. The Provincial Health Office through its Public Health arm is the only authorized office to tag individuals according to their COVID -19 case classification following the guidelines issued by DOH. Once tagged, the establishment with a QR code scanner will be prompted through an "access denied" notice if the prohibited individual's QR code will be scanned at their scanning points.

6.3. The establishment must deny entry of these individuals and should immediately call the hotline posted on the "access denied" notice on the screen of their QR scanner/devices.

SECTION 7. IMPLEMENTATION. The DAVOR-DCTS specifically the use of QR code shall be mandatory 15 (fifteen) days after the approval of the Ordinance in the entire province of Davao Oriental. Any individual who fails to present their DAVOR-DCTS card shall be denied entry at any establishments.

5/15/2021

SECTION 8. PENALTY. In the event that a tagged individual is scanned at the scanning points, he/she shall render a Community Service for at least three (3) days at the isolation facilities under the supervision of the Isolation Facility Officer In-charge.

Any establishment found violating by allowing the entry of any individual without DAVOR-DCTS card, the following penalties shall be imposed accordingly:

First Offense	Written stern warning for owner of concerned establishment/s.
Second Offense	Shall be penalized by a fine of not less than P1,000.00 and no more than P2,500.00.
Third Offense	Shall be penalized by a fine of not more than P5,000.00 or an imprisonment of not more than one (1) year or both at the discretion of the court and without prejudice of applying the penalty provisions of other applicable existing local and national laws, rules and regulations.

SECTION 9. DISSEMINATION. Copies of this ordinance shall be posted in conspicuous places, barangay halls and other public places in the province of Davao Oriental and in social media and be published in the newspaper or in general/local circulation and that copies of the same be furnished to all municipalities and city for their information and guidance.

SECTION 10. SEPARABILITY CLAUSE. Should any provision of this ordinance be declared unconstitutional or illegal by any competent court of jurisdiction, the parts that are not affected shall remain in full force and effect.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect 15 (fifteen) days after the approval of the Governor.

ENACTED: FEBRUARY 17, 2021.

CARRIED, by ten (10) affirmative votes of SP Members Nelson R. Dayanghirang, Jr., Anacleto P. Macatabog, Lemuel Ian M. Larcia, Dennis V. Roflo, Jr., Dante M. Caubang, Marietta D. Palmera, Laureano B. Taya, Charlie S. Ambasan, Rustan R. Castellones, and Ronald T. Lara, Jr.; negative votes – none; and abstention - none.

*

*

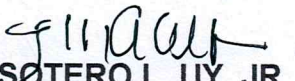
*

**I hereby Certify to the Correctness
of the foregoing Ordinance.**

GENELYN G. PAROJINOG
Administrative Officer
Acting Secretary

straight

**Attested and Certified
to be duly Adopted:**


NIÑO SOTERO L. UY, JR.
Vice Governor and Presiding Officer

APPROVED:


NELSON L. DAYANGHIRANG
Governor

Date approved and signed MAR 04 2021

