



# **PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE 90<sup>th</sup> REGULAR SESSION (ONLINE  
SESSION) OF THE 11<sup>th</sup> SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON  
MAY 18, 2021, 1:17 PM AT TAYTAY, RIZAL**

**PRESENT:**

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	"
Hon. Patrick John P. Alcantara	-	"
Hon. Joanne Marie P. Calderon	-	"
Hon. Ceferino R. Resurreccion Jr.	-	"
Hon. Kyle Georic Y. Gacula	-	"
Hon. Ma. Elaine T. Leonardo	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Frank Luster L. Santos	-	LnB President
Hon. Roda May A. Diño	-	SK Federation President

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Co-Sponsored by:	Vice Mayor Michell B. Bermundo
	Coun. Sophia Priscilla L. Cabral
	Coun. Ma. Jeca B. Villanueva
	Coun. Patrick John P. Alcantara
	Coun. Joanne Marie P. Calderon
	Coun. Kyle Georic Y. Gacula
	Coun. Ma. Elaine T. Leonardo
	LnB Pres. Frank Luster L. Santos
	SK Fed. Pres. Roda May A. Diño

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**ORDINANCE NO. 705 series of 2021**

**AN ORDINANCE INSTITUTING THE "TAYTAY TRAIL" AS TAYTAY  
RIZAL'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL  
RESIDENTS AND NON-RESIDENTS OF THE MUNICIPALITY,  
ESTABLISHMENTS WITHIN THE MUNICIPALITY, WHETHER PUBLIC OR  
PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES  
FOR VIOLATION THEREOF**

WHEREAS, Presidential Proclamation No. 929 was issued on 16 March 2020 declaring a state of calamity throughout the Philippines due to the Corona Virus Disease 2019 ("COVID-19") enjoining all government agencies and local government units to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the threat of COVID-19;



WHEREAS, the Department of Interior and Local Government ("DILG"), issued a memorandum on April 24, 2020 directing the local government units to establish their own task forces against COVID-19 which includes contact tracing teams;

WHEREAS, the Department of Trade and Industry ("DTI") issued a memorandum encouraging the use of technology, such as, but not limited to, the use of contactless forms, in the contact tracing of employees, customers, including visitors, entering establishment or business premises;

WHEREAS, in compliance to Department of Health and Inter-Agency Task Force on Emerging Infectious Diseases ("IATF")'s objectives, the need to keep track of COVID-19 Testing, Swab Result Encoding, and Contact Tracing to utilize existing technologies for the effective and efficient delivery of information and in furtherance of public service;

WHEREAS, the Municipal Government of Taytay, in adherence to the guidelines issued by the national government implemented various measures to prevent the further spread of the disease within its territorial jurisdiction;

WHEREAS, the Municipal Government of Taytay, in pursuit of excellence in public health service and advancement of the general welfare of residents of the municipality, has undertaken steps to develop for its Municipal Epidemiology and Surveillance Unit ("MESU"), a health monitoring system to equip it to deliver on its mandate of better health outcomes;

WHEREAS, as part of the health monitoring system, the Municipal Government of Taytay deemed it necessary to establish an automated contact tracing solution through the use of Quick Response Codes (hereinafter referred to as "QR Codes", for brevity) in order to provide a contactless, efficient, and inclusive contact identification and follow-up system *vis-a-vis* the prevalent practice;

WHEREAS, the institution of the said QR Code based contact tracing solution to be known as "Taytay Trail", could help in the efforts of the government in contact tracing and in the prevention of the further transmission of COVID-19;

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained, by the 11<sup>th</sup> Sangguniang Bayan of Taytay, Rizal, in session duly assembled, that:

**Section 1. Short Title** - This Ordinance shall be known as the "**TAYTAY TRAIL ORDINANCE**".

**Section 2. Definition of Terms** - Whenever used in this Ordinance, the following terms shall have the respective meanings:

- (a) Taytay Trail - shall refer to the Taytay, Rizal's QR Code based COVID-19 contact tracing solution which is integral module of the Taytay Health Monitor. It is web- based solution which allows individuals to log their basic personal information upon registration. When the registration is complete, the individuals shall be provided with a unique Taytay Trail generated QR Code which they can store on their smartphone or print for physical copy. When unique Taytay Trail QR code is scanned by a registered establishment, their personal information shall be transmitted directly to Taytay Health Monitor for a more effective contact tracing of individuals who may have been in contact with a COVID-19 positive individual;
- (b) QR (Quick Response) Code - shall refer to a machine-readable code containing a matrix of dots which typically stores information, and which can be scanned using a QR scanner or a smartphone with built-in camera;



- (c) Taytay Rizal Health Monitoring System or the Taytay Health Monitor - shall refer to the system which integrates patient record in a single repository, provides a database of the municipality's health resources, and a QR code-based contact tracing solution;
- (d) Registrant - shall refer to costumers, visitors and employees of government institutions and offices and private establishments, who are eighteen (18) years old and above, whether resident or non-resident of the Municipality of Taytay;
- (e) Government institutions and offices - shall refer to a building or enclosed place which is owned, leased, or controlled by the Municipal Government of Taytay or by the National Government;
- (f) Private Establishment - shall refer to a building or enclosed place which is owned, leased, or controlled by non-governmental entity for a non-governmental purpose, which includes but not limited to, commercial, industrial, indoor establishment, churches, hotels, motels and inns, supermarkets and markets;
- (g) Public transportation - shall refer to all public transportation services that operate within the Municipality, with the exception of traditional jeepneys, Transport Network Vehicle Services ("TNVS"), taxis, and tricycles, such as but not limited to private-owned and managed shuttles, modernized jeepneys, public buses, UV Express and any other vehicles providing public transport services as franchised by national agencies such as the Land Transportation Franchising and Regulatory Board ("LTFRB") or others, must implement Taytay Trail as the primary mode of contact tracing:
- (i) Modernized Jeepneys. Public utility jeepneys that have undergone the process of modernization and now operate under a cooperative or corporation with franchises, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the Taytay Rizal;
  - (ii) Public Buses. Public utility buses with franchises, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the Taytay Rizal;
  - (iii) Company Shuttles. Vehicles providing company shuttle services, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the Taytay Rizal;
  - (iv) UV Express. UV express vehicles with franchises, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the Taytay Rizal;
  - (v) Other Public Transport. Any other vehicles providing public transport services as franchised by national government agencies such as the LTFRB or others, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the Taytay Rizal. All transit modes covered under this section shall adhere to the following implementation guidelines:
    - (1) The dedicated Taytay Trail QR scanner must be installed on a device on-board. The device must be connected to a data service and activated GPS/location tracker;
    - (2) Passengers must be scanned when boarding public transportation.
- (h) Scanner - shall refer to a device with a functional camera, supports wireless internet access, and has the ability to run the dedicated application for scanning unique Taytay Trail QR Codes;

- (i) Data Subject - shall refer to an individual whose personal information is processed; and
- (j) Consent of the Data Subject - shall refer to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of personal information about and/ or relating to him/her. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.



**Section 3. Coverage** - For the purpose of this Ordinance, herein covered juridical entities and public transportation shall collectively be called as Covered Establishments.

(a) Covered Establishments

- (i) Corporate/Government/Religious Entities - This Ordinance shall apply to all indoor or enclosed government institutions and offices and private establishments within the territorial jurisdiction of the Taytay Rizal, including but not limited to government and private offices or workplace, commercial, industrial and indoor establishments, restaurants, churches, hotels, motels, inns, supermarkets and markets.
  - (ii) Public Transportation - All public transportation services as mentioned in Section 2 (g) hereof.
- (b) Covered Individuals. This Ordinance shall apply to all customers, visitors and employees of the abovementioned covered establishments, whether residents or non-residents of the Taytay, Rizal.

**Section 4. Categorization of Covered Establishments** - The following shall be categorized for the purpose of their respective implementation in various dates as provided in the succeeding section:

(a) **Category I** - Municipal Government institutions and offices.

(b) **Category II** - Commercial, medical, and religious entities such as:

- (i) Malls and their respective tenants or stores found within their establishment regardless of size;
- (ii) Groceries, Supermarkets, and Markets;
- (iii) Financial Institutions;
- (iv) Medical Facilities, such as, but not limited to hospitals, clinic, lying-in;
- (v) Religious entities conducting religious gatherings.

(c) **Category III** - All other commercial and industrial establishments, such as:

- (i) Commercial establishments or offices with a capacity of thirty (30) persons or more, including employees and visitors;
- (ii) Commercial Buildings and their respective tenants or offices / found within their establishment regardless of size;
- (iii) Educational institutions;





- (iv) Factories;
- (v) Restaurants;
- (vi) Motels, Inns, or Hotels.



(d) **Category IV - Public Transportation.**

**Section 5. Date of Implementation** - The implementation of the "**NO TAYTAY TRAIL QR CODE, NO ENTRY POLICY**" shall be implemented fifteen days (15) days after its postings to conspicuous places around the municipality.

The Mayor shall be vested with the authority to change schedule of implementation in the above categories as public interest so requires and shall further notify the Sangguniang Bayan and the public for their information and guidance.

**Section 6. Basic Information Required Upon Registration** - The following covered persons as provided in Section 3 hereof, with consent of the data subject, shall provide basic information required upon registration in the Taytay Trail. And, any other applicable data as required by the Municipal Government.

(a) **Covered Establishments**

- (i) Business ID Number/Business Permit Number (if applicable);
- (ii) Contact Person (required);
- (iii) Email Address (required);
- (iv) Mobile Number of Contact Person (required);
- (v) Landline Number of Establishment; and
- (vi) Password (required).

(b) **Registrants**

- (i) Full Name (*First Name, Middle Name, Last Name, Suffix*);
- (ii) Birthdate;
- (iii) Complete Address (*House No., Street, Barangay, Town/City, Province*);
- (iv) Contact Numbers;
- (v) Email Address (if available);
- (vi) Username and password (required).

**Section 7. Taytay Trail Generated QR Code**

- (a) **Public and Private Establishments.** All establishments covered by this Ordinance are required to register on the official website of Taytay Trail <https://www.taytaytrail.appcase.net>. In turn, they will be given access to an application which will allow them to scan the unique Taytay Trail QR codes of registrants prior to entry in their respective establishments.



- (b) Registrants. All individuals covered by this Ordinance who wants to register shall visit the official website of Taytay Trail <https://www.taytaytrail.appcase.net>. Upon completion of their individual registration, they shall be given a unique personal Taytay Trail generated QR code which is non-transferrable.
- (i) For registrants who are smartphone users, they can store the unique Taytay Trail QR code on their device and present it for scanning prior to their entry in establishment.
- (ii) For registrants who are non-smartphone users, they may print / a physical copy of their unique Taytay Trail QR code and / present it for scanning prior to their entry in establishments.
- (iii) In case of loss of their unique QR code, registrants may log-in to their account at the official website of Taytay Trail <https://www.taytaytrail.appcase.net> to download/screenshot their unique Taytay Trail QR code.
- (c) Public Assistance Desk. All Public and Private Establishments shall have a Public Assistance Desk located beside their entrances to help assist individuals without Taytay Trail QR Code to register in Taytay Trail website and generate a personal Taytay Trail QR Code to be able to enter their establishments.

**Section 8. Mandatory Use of Taytay Trail or the "No Taytay Trail Code, No Entry Policy** - All covered establishments are mandated to designate personnel at every entrance of the establishment who shall make sure that each individual who enter the establishment possesses, presents and scans the unique Taytay Trail QR code. The establishment shall provide scanner and personnel who shall scan and monitor the authenticity of the QR code of the registrants prior to entry. The establishment and/or the designated personnel shall use only the authorized scanner or software in scanning the registrants' QR code.

All customers, visitors, and employees of the public and private establishments shall not be allowed entry unless they present and their unique Taytay Trail QR code. Establishments should no longer require a separate contact tracing procedure and may no longer collect Health Declaration Forms.

**Section 9. Prohibited Acts** - The following acts are hereby declared unlawful under this Ordinance:

- (a) For Covered Establishments
- (i) Non-registration with the Taytay Trail;
- (ii) Failure to designate personnel tasked to make sure that all customers, visitors, and employees of the establishment possesses, presents, and scans their respective unique Taytay Trail QR code prior to their entry;
- (iii) Failure to provide scanner, and to designate personnel tasked to scan registrants' unique Taytay Trail QR code prior to entry;
- (iv) Deliberate non-scanning of the registrants' QR code;
- (v) Allowing entry of customers, visitors, and employees to enter the establishment without presenting and scanning unique Taytay Trail QR code;
- (vi) Failure of covered establishments, such as malls and commercial buildings as categorized in Sections 4(b)(1) and 4(c)(2), in ensuring that all their tenants and offices are compliant with the requirements of this Ordinance. The penalty of



the entity operating said mall or commercial building shall not be a bar to the liability to be imposed against the erring establishment in said mall or commercial building;

- (vii) Deliberate non-transmittal of the unique Taytay Trail QR code of registrants within twenty-four (24) hours from being offline;
- (viii) Unauthorized access of the personal information of the registrants; and
- (ix) Processing of registrants' personal information for unauthorized purposes.

(b) For Covered Individuals

- (i) Providing false information upon registration in Taytay Trail;
- (ii) Allowing other person/s the use of his or her unique Taytay Trail QR Code to gain entry into the premises of the covered establishments;
- (iii) Using another person's unique Taytay Trail QR code to gain entry into the premises of the covered establishments without consent and authority obtained from such;
- (iv) Intentionally registering more than once for the purpose of possessing more than one (1) unique Taytay Trail QR code; and
- (v) Refusal to have his or her Taytay Trail QR code scanned upon entry of an establishment covered by this Ordinance.

**Section 10. Penalty** - Any establishments or transportation services, juridical person found violating Section 9 (a) of this Ordinance shall be charged with the penalty of:

- |                |   |
|----------------|---|
| First Offense  | : Two Thousand Five Hundred Pesos (Php 2,500.00) and suspension of franchise or business permit until violation has been rectified. |
| Second Offense | : Two Thousand Five Hundred Pesos (Php 2,500.00) and suspension of franchise or business permit until violation has been rectified. |
| Third Offense  | : Two Thousand Five Hundred Pesos (Php 2,500.00) and revocation of franchise or business permit.                                    |

Any person found violating Section 9 (b) of this Ordinance shall be charged with the penalty of:

- |                |  |
|----------------|--|
| First Offense  | : One Thousand Pesos (Php 1,000.00).   |
| Second Offense | : Two Thousand Pesos (Php 2,000.00).   |
| Third Offense  | : Two Thousand Five Hundred Pesos (Php 2,500.00) and/or imprisonment of not more than thirty (30) days subject to the discretion of the court. |

**Section 11. Implementing Rules and Authority** - This Ordinance shall be implemented by the Local Chief Executive through the help of the Taytay Rizal Health Department, Philippine National Police, all the barangay units and their authorized personnel, Business Permit and Licensing Office, Taytay Municipal Tricycle Franchising and Regulatory Board (TMTFRB) and other personnel deputized by the Local Chief Executive.

The Local Chief Executive is hereby authorized to issue implementing rules and regulations when necessary.

The Public Information Office of this Municipality as well as the Office of the Municipal Mayor shall spearhead the Information Dissemination of this Ordinance.

**Section 12. Creation of Data Privacy Committee** - A Data Privacy Committee or hereinafter referred to as the "Committee", is hereby created to hear and decide on all request regarding Taytay Trail and on all complaints regarding data privacy violation in the implementation of this Ordinance.

(a) Composition of the Committee

Chairman: The Municipal Mayor

Members:

- One (1) representative from the Municipal Epidemiology and Surveillance Unit;
- One (1) representative from the Municipal Council;
- One (1) representative from the Management Information System Office; and
- One (1) representative from the Taytay Municipal Tricycle Franchising and Regulatory Board (TMTFRB)

(b) Secretariat and Technical Working Group. The Committee is hereby authorized to establish its Secretariat and Technical Working Group as it may deem necessary.

(c) Functions of the Data Privacy Committee. The Data Privacy Committee shall have the following functions:

- (i) Ensure compliance with this Ordinance;
  - (ii) Receive complaints and institute investigations, facilitate or enable settlement of complaints through grievance procedures on matters affecting and personal information, prepare reports on disposition of complaints and resolution of any investigation it initiates. For this purpose, the Committee may be given access to personal information that is subject of any complaint and to collect the information necessary to perform its functions; and
  - (iii) Generally, perform such acts as may be necessary to ensure that the privacy of the data subjects is protected.
- (d) Grievance Procedures. The Data Privacy Committee is hereby authorized to formulate and issue its own grievance procedures to carry out its functions effectively, provided that the same is in accordance with this Ordinance, rules and regulations, and other pertinent laws.

**Section 13. Non-Disclosure** - The Municipal Government of Taytay shall handle all information gathered from the data subjects with the highest degree of confidentiality as governed by its Privacy Statement and the National Data Privacy Act otherwise known as the Data Privacy Act of 2012.

All persons who have access to the data gathered, stored and disposed by the Taytay Health Monitor shall be required to sign a non-disclosure agreement between him or her and the Municipal



Government of Taytay. Failure to abide by the agreement shall be subjected to the penalties as provided by pertinent laws, rules and regulations.

**Section 14. Separability Clause** - In case any provision, section, or part of this Ordinance is declared unconstitutional or illegal, the remaining provisions shall not be affected.


**Section 15. Repealing Clause** - All other existing Ordinances and Resolutions contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

**Section 16. Incorporation Clause** - Any similar and relevant future issuance either from the national, regional or local IATF or agency shall automatically form part of this Ordinance.

**Section 17. Effectivity Clause** – This ordinance shall take effect fifteen (15) days after posting in conspicuous places in the Municipality and Barangay Halls.

ENACTED, this 18<sup>th</sup> day of May, 2021, 4:12 PM at Taytay, Rizal.

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I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay, Rizal on second reading on May 18, 2021 and was passed on third and final reading on May 18, 2021, during the 90<sup>th</sup> Regular Session (Online) held on the 18<sup>th</sup> day of May, 2021.

  
**SONIA C. SAMSON**  
Secretary to the Sanggunian  
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY  
ADOPTED BY HER HONOR

  
**HON. MICHELLE B. BERMUNDO**  
Municipal Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR  
DATE 24 MAY 2021

  
**HON. GEORGE RICARDO R. GACULA II**  
Municipal Mayor