



- (d) The pens and other materials used for manual logbooking must be sanitized regularly.
- (e) Violations of any of the procedures provided herein shall be imposed with penalties provided under Section 13(b) of this Ordinance.

**SECTION 9.** - *Mandate to Public or Private Offices/Establishments.* - All enclosed public and private offices/establishments in Naga City are hereby mandated to:

- (a) Download and install eSALVAR which is offered by the City Government of Naga for free, on a smartphone, tablet, mobile device or other gadget with camera and capacity of reading/scanning a QR Code;
- (b) Place/position the above-described device at the entrance of the office/establishment to be used by an authorized personnel to regulate the entry of customers and clients;
- (c) Conduct mandatory temperature check to all individuals entering their premises;
- (d) Prior to entry, scan using a gadget capable of QR Code scanning/reading the QR ID of individuals desiring to enter its premises in order to verify the identity of the person possessing such QR ID and check the photograph which should match that of actual person possessing the QR ID;
- (e) Upon scanning, eSalvar will either prompt that the individual is clear to enter the establishment, or alert that such individual is a COVID-19 patient and, thus, necessary precautionary measures must be implemented, such as contacting the Naga City Contact Tracing Task Force and containing such person;
- (f) After scanning, eSalvar will log all entries of individuals, including the corresponding date and time of entry in a particular office/establishment."

**SECTION 10.** - *Protection of Privacy.* - Data management shall be guided by the following:

- (a) Pursuant to R.A. No. 10173 or the "Data Privacy Act of 2012," all information and data collected from individuals shall be highly protected, and access to such information shall be limited only to persons authorized by the city government;

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- (b) All information and data collected in the system shall be under the custody of City Epidemiology and Surveillance Unit (CESU) of the City Health Office (CHO) and the Naga City Contact Tracing Monitoring Center. Access to all gathered information and data shall be limited to duly designated data controllers. Data Controllers shall manage and keep all information with utmost care and confidentiality and shall use the same for contact tracing purposes only following government-sanctioned protocols;
- (c) All recorded information of an individual's date and time of visit or entry in an office/establishment shall be automatically deleted from the server 30 days from storage therein.

The forms used for manual log booking shall be destroyed 30 days after their collection.

**"SECTION 13. - Penalties.** - The following acts are hereby prohibited and their commissions are penalized hereunder:

- (a) Any individual who willfully uses the QR ID Card of another, impersonates another by using the picture, name or data of another person, or cause the printing of QR ID for profit shall be penalized as follows:

- 1<sup>st</sup> offense - a fine of One Thousand Pesos (P1,000.00)
- 2<sup>nd</sup> offense - a fine of Two Thousand Five Hundred Pesos (P2,500.00)
- 3<sup>rd</sup> offense - a fine of Five Thousand Pesos (P5,000.00) or imprisonment of not more six (6) months, or both fine and imprisonment, at the discretion of the court.

- (b) Failure of any public or private office/establishment to register to eSalvar within thirty (30) days from the effectivity of this ordinance or to observe the steps mandated under Section 8 and/or Section 9 hereof shall be liable as follows:

- 1<sup>st</sup> offense - a fine of One Thousand Pesos (P1,000.00)
- 2<sup>nd</sup> offense - a fine of Two Thousand Five Hundred Pesos (P2,500.00)

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3<sup>rd</sup> offense - a fine of Five Thousand Pesos (P5,000.00) or imprisonment of not more six (6) months, or both fine and imprisonment, at the discretion of the court.

The owner/s, manager/s, operator/s, administrator/s and/or person/s in-charge of public or private offices/business who, despite notice, refuses or fails to comply with the provisions of this Ordinance shall be held responsible and be imposed with the fines and penalties provided above.

- (c) In addition to the penalties stated in the existing laws pertaining to data privacy, any data custodian who shall intentionally divulge, or, thru omission, cause the leakage of information stored in the eSalvar database, or use the same not in accordance with the purpose of this Ordinance, shall be made civilly, administratively and criminally liable and, due to violation of the provisions of this Ordinance, shall also be penalized with a fine of Five Thousand Pesos (P5,000.00) and imprisoned for not more than six months.
- (d) Those who are found violating the provisions of orders, guidelines or other issuances promulgated by the Health Emergency Task Force thru the City Mayor shall be imposed with fines and penalties as provided in Section 13(b) hereof.
- (e) Those who are found violating the provisions of national laws, rules and regulations in relation to the implementation of contact tracing, such as but not limited to the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act (R.A. No. 11332), shall be prosecuted and penalized in accordance with the provisions of such laws."

**SECTION 2.** - *Additional Section to Provide for Exemption during Emergency Cases.* - A new section, numbered as Section 18 is hereby added to Ordinance No. 2020-086, to wit:

**"SECTION 18.** - *Exemption during Emergency Cases.* - During emergency cases, access to hospitals and other institutions providing emergency services must not be preconditioned on filling up of entries in a manual logbook or on presentation of QR ID in a digital logbook."

**SECTION 3. RENUMBERING OF SECTIONS 18-20.** Section 18 (Separability Clause), Section 19 (Repealing Clause) and Section

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20 (Effectivity) of Ordinance No. 2020-086 are hereby renumbered as Section 19, Section 20 and Section 21, respectively.

**SECTION 4. - Effectivity.** - This amendatory ordinance shall take effect upon its approval and after publication in a newspaper of local circulation.

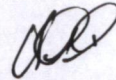
**ENACTED:** October 27, 2020

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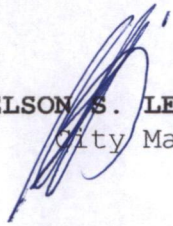
**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

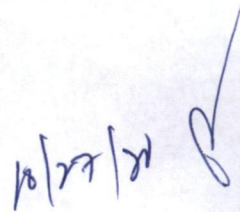


**GIL A. DE LA TORRE**  
Secretary to the  
Sangguniang Panlungsod

  
**CECILIA B. VELUZ-DE ASIS**  
City Vice Mayor  
& Presiding Officer

**APPROVED:**

  
**NELSON S. LEGACION**  
City Mayor

  
10/27/20