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DATE 4/1/2020  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**EXCERPTS FROM THE MINUTES OF THE 40<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEGISLATIVE BUILDING, CAPITOL GROUNDS, TACLOBAN CITY ON 15 MAY 2020.**

**PHYSICALLY PRESENT:**

- Hon. Carlo P. Loreto - Vice-Governor/Presiding Officer
- Hon. Raissa J. Villasin - 2<sup>nd</sup> District Board Member
- Hon. Nolie C. Caña - Ex-Officio Sangguniang Panlalawigan Member/LnBP Provl. President

**VIRTUALLY PRESENT:**

- Hon. Florante A. Cayunda, Jr. - Floor Leader
- Hon. Trinidad G. Apostol - 1<sup>st</sup> Deputy Floor Leader
- Hon. Ranulfo S. Abellanosa - 2<sup>nd</sup> Deputy Floor Leader
- Hon. Gina E. Merilo - 1<sup>st</sup> District Board Member
- Hon. Ma. Corazon E. Remandaban - 3<sup>rd</sup> District Board Member
- Hon. Anna Victoria V. Tuazon - 3<sup>rd</sup> District Board Member
- Hon. Mesias P. Arevalo - 4<sup>th</sup> District Board Member
- Hon. Maria Carmen Jean T. Rama - 4<sup>th</sup> District Board Member
- Hon. Emmanuel L. Gacis - 5<sup>th</sup> District Board Member
- Hon. Jo Vanille C. Merilo - Ex-Officio Sangguniang Panlalawigan Member/SK Provincial Fed. President
- Hon. Chiqui Ruth C. Uy - Ex-Officio Sangguniang Panlalawigan Member/PCL President

**ABSENT:**

NONE

**RESOLUTION NO. 2020-405**

**A RESOLUTION APPROVING ON THIRD AND FINAL READING, PROVINCIAL ORDINANCE NO. 2020-12, ENTITLED: "AN ORDINANCE MANDATING THE REGISTRATION, DISCLOSURE, REPORTING AND COMPLIANCE WITH LOCAL HEALTH PROTOCOLS AND PROCEDURES BY ALL INDIVIDUALS ARRIVING IN LEYTE FROM TRAVEL ORIGIN OR PLACE OF TRANSIT WITH REPORTED INCIDENT OF COVID-19 INFECTION FOR CONTACT TRACING, SURVEILLANCE AND RESPONSE, PROVIDING PENALTIES FOR NON-COMPLIANCE THEREOF, AND FOR OTHER PURPOSES".**

**WHEREAS**, Article II, Section 15 of the 1987 Constitution declares that the State shall protect and promote the right to health of people and instill health consciousness among them;

**WHEREAS**, the World Health Organization declared the Coronavirus Disease 2019 (COVID-19) a global pandemic due to the rapid increase of cases of infection throughout the entire world, and the sustained risk of further global spread;

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**WHEREAS**, President Rodrigo R. Duterte issued Presidential Proclamation No. 922, series of 2020, declaring a State of Public Health Emergency throughout the Philippines to capacitate Local Government Units (LGUs) to immediately act to prevent loss of life, utilize appropriate resources to implement urgent and critical measures to contain or prevent the spread of Corona Virus Disease (COVID - 19) in the Philippines, mitigate its effects and impact to the community, and prevent serious disruption of the functioning of the government and the community, and further directing all citizens, residents and tourists to comply with the lawful directives and advisories to be issued by the appropriate government agencies to prevent further transmission of COVID-19 and ensure the safety and well-being of all;

**WHEREAS**, the Code Alert System for COVID-19 was raised to Code Red Sublevel Two (2) in accordance with the recommendation of the Department of Health (DOH) and the Inter-Agency Task Force for the Management of Emerging Infection Diseases (IATF-MEID), prompting President Duterte to issue Presidential Proclamation No. 929, series of 2020 declaring a State of Calamity Throughout the Philippines due to COVID - 19, enjoining all LGUs to render full assistance to and cooperation with each other and mobilize the necessary resources to undertake critical, urgent, and appropriate disaster response aid and measures in a timely manner to curtail and eliminate the threat of COVID-19;

**WHEREAS**, the Department of Health (DOH) has included COVID-19 in the list of notifiable diseases in the country, warranting the mandatory reporting of COVID-19 as a health event of public concern in accordance with Republic Act No. 11332 otherwise known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, and adopting surveillance measures and a notification, detection, reporting, and epidemiologic investigation process under Administrative Order No. 2020-0012;

**WHEREAS**, overseas Filipinos returning to the Philippines from abroad (ROF) consisting of Overseas Filipino Workers (OFWs) and non-Overseas Filipino Workers (non-OFWs) along with their dependents and accompanying foreign spouses, locally stranded individuals in a specific locality within the Philippines who have expressed intention to return to their place of residence/home origin (LSIs) as defined in National Task Force (NTF) Against COVID-19 Order No. 2020-02, individuals intent on returning or relocating to Leyte as their home province under the Balik Probinsya, Bagong Pag-asa Program (Balik Probinsiya Beneficiaries) pursuant to Executive Order No. 114, and other persons transported through the efforts of national government upon observance of the necessary quarantine protocols and with the concurrence of the receiving LGUs as contemplated in Section 7 of the IATF-MEID Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines, are required, under RA 11332 to be fully transparent and truthful in disclosing their personal data (eg. travel and medical history, etc.) and information to the DOH, public health authorities, and authorized government entities, for proper assessment, treatment, and timely containment of the spread of the COVID-19 disease;

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**WHEREAS**, Governor Leopoldo Dominico L. Petilla issued Executive Order No. 05-2020-02 outlining the protocols to be followed by returning OFW, seafarers, and beneficiaries of the Balik Probinsya Program who are, or had been, residents of the Province of Leyte;

**WHEREAS**, the National Government has issued guidelines, protocols and precautionary measures for interzonal travel across areas placed under different community quarantine classifications ("Interzonal Movement"), to be observed by persons who have manifested an intention to travel within and across areas placed under any form of quarantine on account of reported incidents of COVID-19 infection, which include observance of the local health protocols and the concurrence of the receiving LGU for Interzonal Movement in accordance with Section 7, Omnibus Guidelines on the Implementation of Community Quarantine, observance of specific guidelines for the issuance of the Medical Clearance Certification, Travel Authority, and Certificate of Acceptance from the receiving LGU subject to the observance of its local health protocols and procedures in accordance with Section 7 of NTF Against COVID-19 Order No. 2020-02 for LSIs, and mandatory reporting and truthful and accurate disclosure of requested personal data to the proper authorities for purposes of contact tracing and management of the COVID-19 disease with effective and efficient disease surveillance and response;

**WHEREAS**, the Data Privacy Act - notwithstanding the exemption of data accessibility under Section 6 (d) of RA 11332 for data collection, analysis and the dissemination of information from official disease surveillance and response systems done by DOH and its local counterparts for public health concern purposes only - requires public health authorities, concerned health providers, and other government entities who are custodians of personal data supplied to ensure and protect the confidentiality, integrity, and availability of supplied COVID-19 data and the data subjects' privacy rights, to help allay fears of unbridled disclosure of personal data causing a real risk or severe harm to the data subject which include stigma-driven physical assault, harassment, and discrimination which have deterred fully transparent and truthful reporting and disclosure;

**WHEREAS**, the Sangguniang Panlalawigan of the Province of Leyte is authorized to adopt measures to protect the inhabitants of the province from the harmful effects of disasters and calamities, and provide assistance, and enact ordinances for the general welfare of the Province and its inhabitants, pursuant to Section 16 of the Local Government Code (LGC), and Section 468 (1) (iv) of the LGC;

**NOW THEREFORE**, on motion of Honorable Florante A. Cayunda, Jr. and duly seconded by Honorable Raissa J. Villasin and Honorable Nolie C. Caña, be it

**RESOLVED** to enact, as it is hereby **ENACTED** on third and final reading, the following:



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**ORDINANCE NO. 2020-12**  
**Series of 2020**


**AUTHORS: ATTY. CARLO P. LORETO**  
**ATTY. FLORANTE A. CAYUNDA JR.**  
**ATTY. ANNA VICTORIA M. VELOSO – TUAZON**  
**HON. RAISSA J. VILLASIN**


**“AN ORDINANCE MANDATING THE REGISTRATION, DISCLOSURE, REPORTING AND COMPLIANCE WITH LOCAL HEALTH PROTOCOLS AND PROCEDURES BY ALL INDIVIDUALS ARRIVING IN LEYTE FROM TRAVEL ORIGIN OR PLACE OF TRANSIT WITH REPORTED INCIDENT OF COVID-19 INFECTION FOR CONTACT TRACING, SURVEILLANCE AND RESPONSE, PROVIDING PENALTIES FOR NON-COMPLIANCE THEREOF, AND FOR OTHER PURPOSES”.**

 Be it ordained by the Sangguniang Panlalawigan of Leyte, that:

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as Mandatory Registration, Disclosure and Reporting Ordinance for COVID – 19 Contact Tracing, Surveillance and Response.

**SECTION 2. SCOPE.** This Ordinance shall apply to any person arriving in the territorial jurisdiction of Leyte from (a) a travel origin with a reported incidence of COVID-19 infection within thirty (30) days from the date of arrival in Leyte, or (b) any place of transit with a reported incidence of COVID-19 infection within thirty (30) days from the date of arrival in Leyte ("Covered Person").

 The Mandatory registration, disclosure and reporting requirements set forth in this Ordinance shall be observed from the date this Ordinance takes effect until thirty (30) days from the date community quarantine is lifted at the point of travel origin or transit ("Covered Period").

 **SECTION 3. MANDATORY REGISTRATION, DISCLOSURE, REPORTING AND COMPLIANCE WITH LOCAL HEALTH PROTOCOLS.** For the duration of the Covered Period, any Covered Person arriving in the territorial jurisdiction of Leyte pursuant to strict compliance with applicable protocols on which his/her travel was conditioned, shall comply with the IATF – consistent local health protocols and procedures of the Receiving LGU with jurisdiction over his/her travel destination, and the following mandatory registration, disclosure, and reporting requirements:

**3.1. Presentation of Documents Upon Arrival in Leyte.** Each Covered Person shall present the required documents upon arrival in the Province of Leyte:





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*Cayunda*

- (a) proof of compliance with conditions authorizing travel, which may include the Travel Authority from the JTF CV shield, and Test Results and/or Medical Clearance Certificate issued in favor the Covered Person, and
- (b) proof of the Certificate of Acceptance issued by the Local Chief Executive of the destination Local Government Unit (the "Receiving LGU") in favor of the Covered Person.

**3.2. Mandatory Registration and Compliance with Local Health Protocol.**

Upon arrival at the Receiving LGU with jurisdiction over the Covered Person's destination, each Covered Person shall comply and immediately register his/her arrival at the designated quarantine area of the Receiving LGU, and comply with its local health protocols and procedures, such as the health interview, undergoing rapid test and swabbing, remaining at the isolation area or unit, undergoing mandatory facility-based quarantine or hospital admission, cooperating with monitoring requirements of the local COVID Task Force, the Local Health Office, and the Barangay Health Emergency Response Team (BHERT), cooperating with contact tracing procedures, and submitting to subsequent testing.

**3.3. Mandatory Disclosures and Reporting to Receiving LGU's MHO.**

Each Covered Person shall be required to truthfully and accurately disclose the personal data requested by the Receiving LGU's City/Municipal Health Officer or designate conducting the interview and health condition assessment of the Covered Person for purposes of contact tracing and management of the COVID-19 disease with effective and efficient disease surveillance and response. Each Covered Person shall cooperate with the Receiving LGU's monitoring and testing protocols, and shall provide follow-up contact tracing information and health condition reportorial requirements lawfully requested by the Receiving LGU's designated health monitoring team or epidemiology surveillance unit.

**SECTION 4. INCENTIVES.** Subject to the availability of funds, each Local Government Unit (LGU) within the territorial jurisdiction of the Province of Leyte is hereby encouraged to incentivize rapid containment, quarantine, isolation and COVID-19 response activities by adopting the following measures:

- (a) incentivize the efficient registration, disclosure and reporting by a Covered Person with it as a Receiving LGU by providing for some of their needs while in the isolation area or facility-based quarantine (e.g. distributing complimentary hygiene or health kits while in isolation or quarantine), and
- (b) adopt a Community Reward system that incentivizes proactive community action taken to promptly report and effect the mandatory registration of a Covered Person who failed to immediately comply with the mandatory registration, disclosure and reporting requirements with the Receiving LGU (e.g. distribute household essentials or cooking condiments kits to informants of a Community who report and logistically facilitate the mandatory registration of a Covered Person

**SECTION 5. IMPLEMENTATION.** All Component Local Government Units of the Province of Leyte and the Leyte Province Police Office are mandated to implement and enforce the provisions of this ordinance.

**SECTION 6. CONSTRUCTION.** Nothing in this Ordinance shall be construed as defeating, qualifying, modifying, or superseding in any way, manner, or extent the guidelines, rules, and protocols issued by the Department of Health, by the IATF-EID, or by authorized agencies of the Government on the proper handling, procedure, and management response for probable, suspect, or confirmed COVID – 19 patients, and persons who have recovered from the COVID-19 virus.

**SECTION 7. PENALTIES.** Any Covered Person who fails to comply with the mandatory registration, disclosure and reporting requirements in violation of Section 3 of this Ordinance shall be reported and made to immediately comply with mandatory registration, disclosure and reporting requirements.

In addition, the Covered Person's initial failure to comply shall constitute an offense punishable under Republic Act No. 11332 or the Mandatory Reporting of Notifiable Diseases and Health Events of Public Concern Act, Republic Act No. 9271 or the Quarantine Act, and other special laws, as the case may be, and reported to the IATF EID implementing agencies and the Department of Justice (DOJ) for the initiation of appropriate charges as may be warranted.

Any perceived violation of the Data Privacy Act in the collection and possible unauthorized disclosure of sensitive personal information shall be reported to the National Privacy Commission and referred for investigation and prosecution with the assistance of the Philippine National Police, the respective Inter Agency Task Force, the National Bureau of Investigation, the Public Attorney's Office, the Prosecutor's Office, the Department of Justice Action Center, or directly with the Office of the Secretary of Justice.

**SECTION 8. FUNDING.** Such amount as may be necessary for the proper and effective implementation of this Ordinance shall be taken from the available fund of the Provincial Health Office, Provincial Disaster Risk Reduction Management Office, concerned offices and other funds not otherwise appropriated.

**SECTION 9. SEPARABILITY CLAUSE.** If for any reason, any part or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

**SECTION 10. REPEALING CLAUSE.** All ordinances, resolutions, rules or regulations inconsistent with or contrary to the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

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**SECTION 11. EFFECTIVITY.** This Ordinance shall take effect immediately upon approval due to the urgency of the concern caused by the COVID-19 pandemic. Should the declared state of emergency be lifted, the regulations imposed in this Ordinance shall accordingly be suspended until a subsequent Declaration of State of Calamity is made in accordance with Section 16 of Republic Act No. 10121, or a subsequent Declaration of Epidemic or Public Health Emergency is made in accordance with Section 7 of Republic Act No. 11332.

**Approved unanimously.**

**I HEREBY CERTIFY** to the correctness of the foregoing resolution.

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian  
x

**ATTESTED**

**HON. GINA E. MERILO**  
Sangguniang Panlalawigan Member

  
**HON. RANULFO S. ABELLANOSA**  
Sangguniang Panlalawigan Member


  
**HON. TRINIDAD G. APOSTOL**  
Sangguniang Panlalawigan Member

  
**HON. RAISSA J. VILLASIN**  
Sangguniang Panlalawigan Member

**HON. MA. CORAZON M. REMANDABAN**  
Sangguniang Panlalawigan Member

**HON. ANNA VICTORIA M. VELOSO-TUAZON**  
Sangguniang Panlalawigan Member

  
**HON. MESIAS P. AREVALO**  
Sangguniang Panlalawigan Member

  
**HON. MARIA CARMEN JEAN TORRES-RAMA**  
Sangguniang Panlalawigan Member

  
**ATTY. FLORANTE A. CAYUNDA JR.**  
Sangguniang Panlalawigan Member

  
**HON. EMMANUEL L. GACIS**  
Sangguniang Panlalawigan Member

  
**HON. NOLIE C. CAÑA**  
Sangguniang Panlalawigan Member

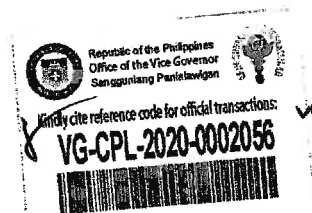
  
**HON. CHIQUI RUTH C. UY**  
Sangguniang Panlalawigan Member

  
**HON. JO VANILLE CHUA-MERILO**  
Sangguniang Panlalawigan Member

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**ATTY. CARLO P. LORETO**  
Vice Governor and Presiding Officer



**Approved:**



**LEOPOLDO DOMINICO L. PETILLA**  
Governor

DATE: 26 MAY 2020