



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

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Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Reynaldo R. San Buenaventura III, Editha C. Santiago, Wilfredo F. Sityar, LIGA Pres. Rigor J. Enriquez and SK Fed. President Georgia Lynne P. Clemente

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 City Government of Pasig, 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 City Government of Pasig, in pursuit of excellence in public health service and advancement of the general welfare of residents of the city, has undertaken steps to develop for its City Epidemiology and Surveillance Unit ("**CESU**"), a health monitoring system to equip it to deliver on its mandate of better health outcomes;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 2-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, as part of the health monitoring system, the City Government of Pasig 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-à-vis* the prevalent practice;

WHEREAS, the institution of the said QR Code based contact tracing solution to be known as "Pasig Pass", 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 SANGGUNIANG PANLUNGSOD OF PASIG, IN SESSION DULY ASSEMBLED:

SECTION 1. Short Title. -This Ordinance shall be known as the "Pasig Pass Ordinance".

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

- (a) **Pasig Pass** - shall refer to the Pasig City's QR Code based COVID-19 contact tracing solution which is integral module of the Pasig 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 Pasig Pass generated QR Code which they can store on their smartphone or print for physical copy. When unique Pasig Pass QR code is scanned by a registered establishment, their personal information shall be transmitted directly to Pasig City 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) **Pasig City Health Monitoring System or the Pasig Health Monitor** - shall refer to the system which integrates patient record in a single repository, provides a database of the city's health resources, and a QR code based contact tracing solution;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 3-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

(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 City of Pasig;

(e) **Government institutions and offices** - shall refer to a building or enclosed place which is owned, leased, or controlled by the City Government of Pasig;

(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 City, with the exception of traditional jeepneys, Transport Network Vehicle Services ("TNVS"), taxies, and tricycles, such as but not limited to city and 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 PasigPass as the primary mode of contact tracing:

(i) **City-Owned and Managed Shuttle Services.** Pasig bus service, *Libreng Sakay*, and other free shuttle services that the city may deploy from time to time, *provided* that the point of origin of such services shall be from any location within the territorial jurisdiction of the City of Pasig;

(ii) **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 City of Pasig;

(iii) **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 City of Pasig;

(iv) **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 City of Pasig;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 4-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

(v) **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 City of Pasig;

(vi) **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 City of Pasig. All transit modes covered under this section shall adhere to the following implementation guidelines:

(1) The dedicated Pasig Pass 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 Pasig Pass 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 transportations 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 City of



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 5-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Pasig, 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 City of Pasig.

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** – City 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;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 6-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

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

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

SECTION 5. Date of Implementation. – The implementation of the "NO PASIG PASS QR CODE, NO ENTRY POLICY" shall be implemented fifteen days (15) days after its publication in a local newspaper of general circulation in the city.

The City 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 Panlungsod* 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 Pasig Pass.

(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



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 7-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

(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. Pasig Pass Generated QR Code.

- (a) Public and Private Establishments. All establishments covered by this Ordinance are required to register on the official website of Pasig Pass (<https://pasigpass.pasigcity.gov.ph>). In turn, they will be given access to an application which will allow them to scan the unique Pasig Pass 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 Pasig Pass (<https://pasigpass.pasigcity.gov.ph>). Upon completion of their individual registration, they shall be given a unique personal Pasig Pass generated QR code which is non-transferrable.
 - (i) For registrants who are smartphone users, they can store the unique PasigPass 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 Pasig Pass QR code and present it for scanning prior to their entry in establishments.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 8-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

- (iii) In case of loss of their unique QR code, registrants may log-in to their account at the official website of Pasig Pass (<https://pasigpass.pasigcity.gov.ph>) to download/screenshot their unique Pasig Pass QR code.

SECTION 8. Mandatory Use of Pasig Pass or the "No Pasig Pass 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 Pasig Pass QR code. The establishment shall provide a 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 Pasig Pass 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 Pasig Pass;
- ii. Failure to designate a personnel tasked to make sure that all customers, visitors, and employees of the establishment possesses, presents, and scans their respective unique Pasig Pass QR code prior to their entry;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 9-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

- iii. Failure to provide scanner, and to designate a personnel tasked to scan registrants' unique Pasig PassQR 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 Pasig Pass 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 Pasig Pass 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 Pasig Pass;
- ii. Allowing other person/s the use of his or her unique Pasig Pass QR Code to gain entry into the premises of the covered establishments;
- iii. Using another person's unique Pasig Pass QR code to gain entry into the premises of the covered establishments without consent and authority obtained from such;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 10-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

- iv. Intentionally registering more than once for the purpose of possessing more than one (1) unique Pasig Pass QR code; and
- v. Refusal to have his or her Pasig Pass 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 : Five Thousand Pesos (Php 5,000.00) and suspension of franchise or business permit until violation has been rectified.
- Second Offense : Five Thousand Pesos (Php 5,000.00) and suspension of franchise or business permit until violation has been rectified.
- Third Offense : Five Thousand Pesos (Php 5,000.00) 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 : Three Thousand Pesos (Php 3,000.00).
- Third Offense : Five Thousand Pesos (Php 5,000.00) 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 Pasig City Health Department, Department of Peace and Order with the assistance of Pasig City Philippine National Police, all the barangay units and their authorized personnel, Business Permit and Licensing Office, City Transportation Development and Management Office and other personnel deputized by the Local Chief Executive.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 11-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

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

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 Pasig Pass and on all complaints regarding data privacy violation in the implementation of this *Ordinance*.

(a) *Composition of the Committee*

Chairman: The City Mayor

Members:

- The Data Privacy Officer of the City Government of Pasig;
- One (1) member from the Office of the City Administrator;
- One (1) representative from the City Epidemiology and Surveillance Unit;
- One (1) representative from the City Council;
- One (1) representative from the Management Information System Office; and
- One (1) representative from the City Transportation Development and Management Office.

(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*;



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 12-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

- (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 are 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 City Government of Pasig 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 has access to the data gathered, stored and disposed by the Pasig Health Monitor shall be required to sign a non-disclosure agreement between him or her and the City Government of Pasig. 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*.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

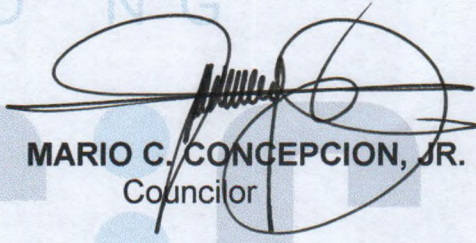
Ordinance No. 49
Series of 2020

-page 13-

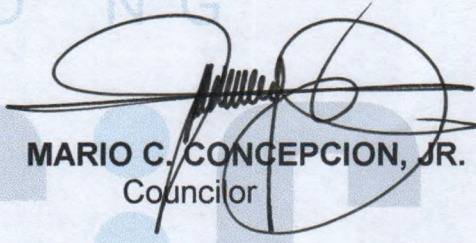
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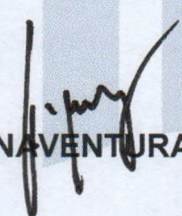
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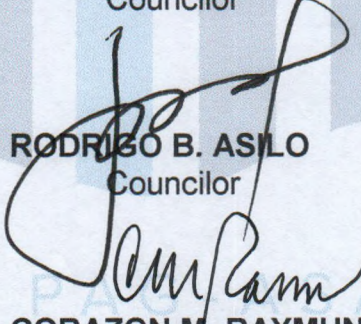

FERDINAND A. AVIS
Councilor


MARIO C. CONCEPCION, JR.
Councilor


GREGORIO P. RUPISAN JR.
Councilor

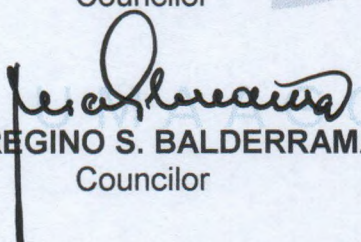

ORLANDO R. BENITO
Councilor

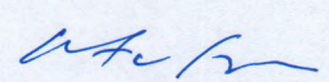

REYNALDO R. SAN BUENAVENTURA III
Councilor


RODRIGO B. ASILO
Councilor

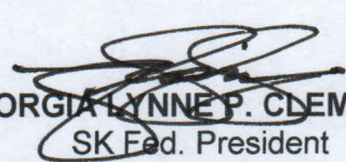

REGINO S. BALDERRAMA
Councilor


CORAZON M. RAYMUNDO
Councilor


EDITHA C. SANTIAGO
Councilor


WILFREDO F. SITYAR
Councilor


RIGOR J. ENRIQUEZ
LIGA President


GEORGIA LYNNE P. CLEMENTE
SK Fed. President



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 49
Series of 2020

-page 14-

AN ORDINANCE INSTITUTING THE "PASIG PASS" AS PASIG CITY'S COVID-19 CONTACT TRACING SOLUTION, MANDATING ALL RESIDENTS AND NON-RESIDENTS OF THE CITY, ESTABLISHMENTS WITHIN THE CITY, WHETHER PUBLIC OR PRIVATE, AND PUBLIC TRANSPORTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Amfamm

R. G. Brown
RHICHE GERARD T. BROWN
Councilor
Minority Floor Leader

Rosalio D. Martires
ROSALIO D. MARTIRES
Councilor
Majority Floor Leader

Attested by:

Iyo Christian C. Bernardo
IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:

Victor Ma. Regis N. Sotto
VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

Loida U. Villanueva
LOIDA U. VILLANUEVA
Acting City Council Secretary