



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 35
Series of 2023

AN ORDINANCE REQUIRING VISIBILITY OF CARD TERMINALS OR POINT-OF-SALE (POS) SYSTEMS TO CONSUMERS DURING PAYMENT.

Author: Councilor Simon Romulo Tantoco
Co - Author: Councilors Quin A. Cruz, Maria Luisa "Angelu" M. De Leon, Marion Rosalio M. Martires, and Raymund Francis S. Rustia

WHEREAS, Article III, Section 3 of the 1987 Philippine Constitution declares that the privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law;

WHEREAS, Republic Act No. 10173 or the Data Privacy Act of 2012 provides for the right of data subjects to be informed whether personal information pertaining to him or her shall be, are being, or have been processed;

WHEREAS, during recent months, there have been multiple reports of personal data being used in scams, especially in use of credit cards in business establishments and online transactions;

WHEREAS, in light of these incidents, it is imperative that stricter security measures must be implemented regarding payments via credit cards;

WHEREAS, as the privacy and security of its residents are the utmost priority for the City Government of Pasig, there is a need to address the leaking and selling of private information;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, BY THE SANGGUNIANG PANLUNGSOD OF PASIG, IN SESSION DULY ASSEMBLED THAT:

SECTION 1. DEFINITION OF TERMS.

- a) **"Point-of-sale (POS)"** refers to the time and place where a retail transaction is completed. Here, the merchant calculates the amount owed by the customer, indicates the amount, prepares an invoice for the customer, and indicates the options for the customer to make payment.
- b) **"POS system"** refers to advanced cash registers which use payment terminals, touch screens, and/or other software options. It uses the internet and different protocols and can be in the form of portable external payment card readers.



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- c) "Card payments" refer to the payment method in which consumers make their payments to a merchant using a card such as domestic and international credit cards, debit cards, cash cards, and charge cards.

SECTION 2. PROHIBITED ACTS. The taking of cards and IDs from customers for purposes of card payments, if not in plain sight, without the consent of the customer, is hereby prohibited.

SECTION 3. TERMINAL/POS SYSTEM VISIBILITY. Retail and service providers with existing portable or external terminal/POS systems, shall make use of portable or external terminal/POS systems and proceed with their transactions in plain sight of the customer. In case the merchant has no portable or external terminal/POS system, their card readers must be easily seen during transactions or the paying customer must be invited to witness the card payment transaction at the designated area.

SECTION 4. COMPLIANCE REQUIREMENT. Any business with an existing portable terminal or POS machine shall be given one (1) year from the enactment of this Ordinance to update their terminals or Point-Of-Sales (POS) systems. Furthermore, those who still do not have these kinds of devices are strongly encouraged to adapt and acquire one.

SECTION 5. PENALTIES. Any person found to be in violation of this Ordinance shall be fined as follows:

- First Offense - Three Thousand Pesos (Php 3,000.00)
- Second Offense - Four Thousand Pesos (Php 4,000.00)
- Third Offense - Five Thousand Pesos (Php 5,000.00)

SECTION 6. IMPLEMENTING OFFICE. The City's Business Permit and Licensing Department (BPLD) shall be the designated office for the implementation and carrying out of this Ordinance.

SECTION 7. REPEALING CLAUSE. All ordinances, resolutions, executive orders, and other rules and regulations which are inconsistent with the provisions of this Ordinance are hereby repealed and/or amended and/or modified accordingly.

Handwritten signatures and initials on the left margin:
- Large blue signature at the top left.
- Vertical signature 'Madalena' on the left side.
- Vertical signature 'by' on the left side.
- Blue signature at the bottom left.
- Vertical signature 'Ayer' on the left side.
- Vertical signature 'Zaragoza' on the left side.
- Large blue signature at the bottom left.

Handwritten signatures and initials on the right margin:
- Vertical signature 'my' on the right side.
- Large blue signature on the right side.
- Large blue signature on the right side.

Large handwritten signature at the bottom center.

Handwritten signature 'San Juan' at the bottom right.





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SECTION 8. SEPARABILITY CLAUSE. If for any reason, any provision or section or part of this Ordinance is declared not valid by a Court of competent jurisdiction or suspended or veto by the City Mayor, such judgment shall not affect or impair the remaining provisions, sections, or parts thereof, which shall remain or continue to be in full force and effect.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after its simultaneous publication in any local newspaper of general circulation within the City of Pasig and posting of public notices in the Pasig City Bulletin Board.

APPROVED, this 31st day of **May 2023** in the City of Pasig.


HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

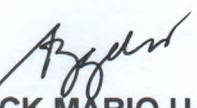

HON. CORAZON M. RAYMUNDO
City Councilor


HON. SIMON GERARD R. TANTOCO
City Councilor

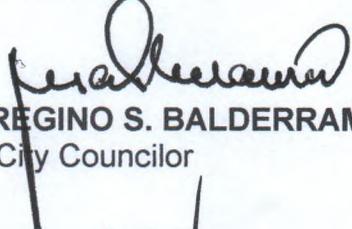

HON. SYVEL ASILO-GUPILAN
City Councilor



HON. PAUL ROMAN C. SANTIAGO
City Councilor

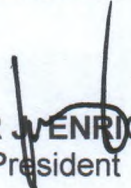

HON. NOEL L. AGUSTIN
City Councilor

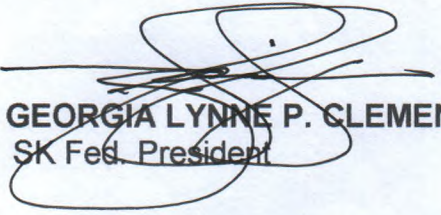

HON. RODERICK MARIO U. GONZALES
City Councilor


HON. QUIN A. CRUZ
City Councilor


HON. REGINO S. BALDERRAMA
City Councilor


HON. MARION ROSALIO M. MARTIRES
City Councilor


HON. RIGOR J. ENRIQUEZ
LIGA President


HON. GEORGIA LYNNE P. CLEMENTE
SK Fed. President





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HON. MARIA LUISA "ANGELU" M. DE LEON
City Councilor
Minority Floor Leader

[Handwritten signature]
HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

[Handwritten signature]
HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

[Handwritten signature]
HON. VICTOR MA. REGIS N. SOTTO
City Mayor

Attested by:

[Handwritten signature]
ATTY. NICOLO JOEL B. GUTIERREZ
Acting City Council Secretary

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