



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA
Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2021-252

AN ORDINANCE REGULATING THE USE OF COVID-19 VACCINATION RECORD CARD (VRC), VACCINATION RECORD CERTIFICATES (VRCert), PCR, ANTIGEN AND SIMILAR TESTS WHICH RESULT DETERMINES THE EXISTENCE/NON-EXISTENCE OF COVID-19 VIRUS, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

Sponsored by: Hon. Coun. Allan Rey A. Camilon -VIA ZOOM
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves-VIA ZOOM
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla-VIA ZOOM
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes-VIA ZOOM
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla-VIA ZOOM
Hon. Coun. Kenichi D. Takagi, Jr. -VIA ZOOM

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

WHEREAS, Section 16 of the Republic Act No. 7160 or the Local Government Code (LGC) of 1991 states that, *"Every local government unit shall exercise the powers expressly granted, those necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the rights of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;"*

WHEREAS, Section 2 of Republic Act No. 11525 or the "COVID-19 Vaccination Program Act of 2021, *further provides that, "the policy of the State is to adopt an integrated approach to health and development which shall endeavor to make essential social services available to all people at an affordable cost. For this reason, the State shall undertake a COVID-19 Vaccination Program;"*

WHEREAS, Section 12 of Republic Act 11525, further provides that, *"subject to the provisions of Republic Act No. 10173 or the 'Data Privacy Act of 2012,' the Department of Health (DOH) shall issue a vaccine card to all persons vaccinated. To fast track the process, the DOH may delegate the processing and issuance of vaccine cards to the Local Government Units (LGUs) and private entities, subject to the guidelines to be promulgated by the DOH;"*



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WHEREAS, Section VII (j) of the DOH-NTF Joint Administrative Order No. 2021-0001 or the **"Implementing Rules and Regulations (IRR) of R.A. No. 11525,"** provides the specific guidelines to standardize the COVID-19 vaccine card;

WHEREAS, the 9th Sangguniang Panlungsod ng Muntinlupa adopted City Resolution No. 2021-429 otherwise known as, **"A Resolution Adopting the COVID-19 Vaccination Program in the City of Muntinlupa,"** wherein the City of Muntinlupa has allocated a budget for the printing of vaccination cards pursuant to RA 11525 and its IRR;

WHEREAS, the Department of Health (DOH), through its Memorandum No. 2021-0099, dated 23 February 2021, issued the **"Interim Omnibus Guidelines for the Implementation of the National Vaccine Deployment Plan for COVID-19,"** providing, among others, a standardized physical vaccination card;

WHEREAS, Paragraph D of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) Resolution No. 124-B, dated 02 July 2021, states that, **"For Interzonal travel allowed under the pertinent resolutions of the IATF and provision of the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines, as amended, the presentation of a COVID-19 domestic vaccination card duly issued by a legitimate vaccinating establishment, or certificate of quarantine completion showing the holder's vaccination status as may be issued by the Bureau of Quarantine, whichever is applicable, shall be sufficient alternatives to any testing requirement (before travel or upon arrival) which the local government unit of destination may require. Provided, that the traveler shall undergo health and exposure screening upon arrival in the local government unit of destination. Provided further, that this shall likewise apply to fully vaccinated senior citizens,"**

WHEREAS, the Department of Interior and Local Government (DILG) issued an advisory dated **July 16, 2021** to all City Mayors, members of the Local Sanggunians and Punongbarangays on the **Authenticity of Vaccination Cards;**

WHEREAS, the **Vaccination Record Card (VRC), PCR-RT, Antigen, and other tests** being done to determine Covid-19 virus, by virtue of the rights and privileges attending to the possession therewith, are prone to **unscrupulous use, misuse, falsification and alteration;**

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panlungsod in the Regular Session assembled that:

SECTION 1. Short Title. This Ordinance shall be known as Regulation of VRCs, VRCert, PCR, Antigen and Similar Tests.

SECTION 2. Definition of Terms - as used in the provisions of this approved ordinance: -

1. **Vaccination Record Card (VRC)** - is duly issued by a legitimate vaccinating establishment bearing standardized information pursuant to DOH Memorandum Circulars;



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2. **Vaccination Record Certificate (VRCert)** – is duly issued by a legitimate vaccinating establishment indicating attesting/certifying that a person is vaccinated;
3. **PCR Test**- polymerase chain reaction (PCR) test is performed to detect genetic material from a specific organism, such as a virus;
4. **Antigen test**- are immunoassays that detect the presence of a specific viral antigen, which implies current viral infection;
5. **Other Similar Test**- may include Lateral flow tests (LFTs), COVID -19 Serology (Antibody) Test and other tests which result determines the existence/non-existence of Covid-19 virus;
6. **Falsification** - are acts or omission defined under article 171 Falsification by Public Officer, Employee or Notary or Ecclesiastic Minister and Article 172- Falsification by Private Individuals AND USE OF falsified documents of the Revised Penal Code;
7. **Security Features on Physical VRCs**- refers to the use of standardized paper of markings such as watermarks, security fibers or the use of chemical protection, for issuing certified physical copies of VRCs the meets any national requirements for security that is embedded within the paper to deter tampering, counterfeiting, photocopying or imaging designed to prevent the fraudulent or unlawful use of physical VRCs;
8. **Security features on Digital VRCs**- refers to the use of primary or secondary security features for digital VRCs such as authentication, access control Quick Response Code to authenticate online accounts and log in details, and administrator audits that meet any national requirements for security that is embedded within the digital VRCs to prevent tampering, counterfeiting, or imaging designed to prevent the fraudulent or unlawful use of digital VRCs.

SECTION 3. Coverage. This Ordinance shall cover the **VRCs, VRCert, PCR, Antigen**, other tests being done which result determines the existence/non-existence of Covid-19 virus, physical or digital, issued, used, and/or presented by any individual, for any legal purpose it may serve to public or private entities within the jurisdiction of the City Government of Muntinlupa.

SECTION 4. Security Features of VRCs and VRCerts. Conforming to the standardized template issued by the Department of Health, the Executive Department shall ensure that VRCs and VRCerts being issued in the City of Muntinlupa shall bear security features that will mitigate its falsification;

SECTION 5. Prohibited Acts for Covered Individuals/Entities. The following acts or omissions of any individuals or entities shall be prohibited:

- a) Providing false information upon registration, creation, and/or issuance of a vaccine card;



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- b) Allowing other persons to make use of his or her unique vaccination card to gain access, entry, and/or privilege to certain establishments. In which case, both the user and the lender of the VRC shall be penalized. The commercial establishment may confiscate the VRC to be surrendered to the City Government of Muntinlupa for proper application of penalty/ties;
- c) Intentionally procuring or reproducing two or more vaccine cards for purpose/s other than those allowed by the implementing authorities;
- d) Unauthorized access and disclosure of personal information of the vaccine card holder;
- e) Falsification of VRC, VRCert, PCR, Antigen and other test which result determine the existence/non-existence of Covid-19 virus;

SECTION 6. Requirement for Accreditation. Aside from the reportorial requirements provided in **Ordinances 2020-127** as amended by **Ordinance 2020-173**, all Covid-19 Testing Centers must secure accreditation from the City Government of Muntinlupa through the City Health Office before operating within the City;

SECTION 7. Penal Clause. In addition to the liability attaching to the offender prescribed by existing laws, any person or entity found to be violating any of the provisions of this Ordinance, after notice, shall be meted out the following penalties:

- a. **First Offense:** Fine of Two Thousand Pesos (Php2,000.00)
- b. **Second Offense:** Fine of Three Thousand Pesos (Php3,000.00)
- c. **Third and Succeeding Offenses:** Fine of Five Thousand Pesos (Php5,000.00) and/or imprisonment of not more than thirty (30) days, at the discretion of the Court. In case the offender is a government official or employee, the maximum penalty provided by applicable laws, rules, and regulations, shall be imposed without prejudice to the filing of administrative, civil, and/or criminal action(s). For purposes of wide dissemination, mass information and preparation of guidelines, the penalties herein provided shall be imposable NINETY (90) DAYS after its enactment or on October 26, 2021.

SECTION 8. Implementing Authority. This Ordinance shall be implemented by the Muntinlupa City COVID-19 Task Force created for the purpose through the City Health Office (CHO), Muntinlupa City Department of Disaster Resilience and Management (MCDDRM), Philippine National Police (PNP)-Muntinlupa, Business Permits and Licensing Office (BPLO), Management Information Systems (MIS) Office, People Coordinating Office (PCO), Barangays and other concerned offices and personnel deputized by the Local Chief Executive.

SECTION 9. Separability Clause. If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby shall continue in full force and effect.



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SECTION 10. Repealing Clause. All ordinances, local issuances, or rules inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 11. Publication and Effectivity. This Ordinance shall take effect immediately upon approval and in accordance with the publication requirements by the Local Government Code Covid.

ENACTED, by the 9th *Sangguniang Panlungsod of Muntinlupa* this 26th day of July 2021, on its 107 Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(ABSENT)
COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member



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COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 30 JUL 2021

Norie/9th SP