



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 814, S-2021

AN ORDINANCE INSTITUTING THE "MandaTrack" APPLICATION AS MANDALUYONG CITY'S CONTACT TRACING TOOL, MANDATING THE USE THEREOF BY ALL RESIDENTS AND NON-RESIDENTS IN ALL KINDS OF ESTABLISHMENTS, WHETHER PUBLIC OR PRIVATE, WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF MANDALUYONG, AND PROVIDING PENALTIES FOR VIOLATION THEREFOR

WHEREAS, the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, the State shall also protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, in Republic Act No. 11332, the State shall endeavor to protect the people from public health threats through the efficient and effective disease surveillance of notifiable diseases including emerging and re-emerging infectious diseases, diseases for elimination and eradication, epidemics, and health events including chemical, radio-nuclear and environmental agents of public health concern and provide an effective response system in compliance with the 2005 International Health Regulations (IHR) of the World Health Organization (WHO);

WHEREAS, Section 16 of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers 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 the promotion of health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the same Code also provides that the Sangguniang Panlungsod shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 thereof, and for an efficient and effective city government, maintain peace and order by enacting measures to prevent and suppress lawlessness and disorder, and adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and calamities;

WHEREAS, there is an emergence of a Corona Virus Infectious Disease-19 (COVID-19) that has been acknowledged by the global community to cause public health emergencies of international concern;

WHEREAS, the World Health Organization (WHO) has already made the assessment that COVID-19 is a pandemic;

WHEREAS, on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a Public Health Emergency throughout the Philippines following confirmed accounts of local transmission;

WHEREAS, on March 16, 2020, Proclamation No. 929, (s.2020) was promulgated declaring a State of Calamity throughout the Philippines for a period of six (6) months due to COVID-19. On September 16, 2020, it was further extended by Proclamation No. 1021 for a period of one (1) year from September 13, 2020 to September 12, 2021;

WHEREAS, despite government interventions, the number of confirmed cases of COVID-19 continues to rise;

WHEREAS, the Department of the 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 (CTT);

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 customers, including visitors, entering establishments or business premises;

WHEREAS, manual logging by customers, visitors and employees of the contact tracing forms prior to entering establishments may contribute in the transmission of the disease;

WHEREAS, the City Government of Mandaluyong, in furtherance of public health and safety services and in promotion of the general welfare of the residents of the City, has undertaken various measures to prevent and combat the further spread of the disease within its territorial jurisdiction including the establishment and development of the Mandaluyong City Epidemiology and Surveillance Unit (MCESU), a health monitoring system to equip it to deliver better health outcomes;

WHEREAS, there is an available contact tracing tool that can be linked to MCESU that can aid in the City's contact tracing efforts;

WHEREAS, the City of Mandaluyong considers the COVID-19 a matter of serious and urgent concern, and there is a need to establish preparedness, and ensure appropriate and efficient local government response to assess, monitor, contain, control and prevent the spread of the disease;