



**cagayan
de oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL

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ORDINANCE NO. 14023-2021

AN ORDINANCE INSTITUTING THE HIGALA ONLINE APPLICATION (HIGALA APP) AS THE PRINCIPAL CONTACT TRACING SYSTEM FOR COVID-19 RESPONSE PLAN AND OTHER HIGHLY INFECTIOUS DISEASES IN THE CITY OF CAGAYAN DE ORO; MANDATING ALL RESIDENTS AND NON-RESIDENTS TO USE IT IN ENTERING ALL ESTABLISHMENTS, OFFICES AND OTHER ENTITIES, WHETHER PUBLIC OR PRIVATE; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND FOR OTHER PURPOSES

WHEREAS, Section 16 of the Local Government Code mandates the local government units shall promote health and safety of the people in their jurisdiction;

WHEREAS, President Rodrigo Roa Duterte issued Proclamation No. 922 Series of 2020 declaring a State of Public Health Emergency throughout the Philippines due to the Coronavirus Disease (COVID-19), enjoining all local government units (LGU's) to render full cooperation and assistance and to mobilize the necessary resources to undertake critical, urgent, and appropriate response and measure in a timely manner to inhibit the spread and eliminate the threat of COVID-19;

WHEREAS, the Department of Interior and Local Government (DILG) issued a memorandum, mandating the local government units to establish their own COVID-19 Task Force which incorporates contact tracing;

WHEREAS, despite government interventions, the COVID-19 locally transmitted cases in the city continues to rise;

WHEREAS, the City Government of Cagayan de Oro is unwavering in its actions in the prevention and control the spread of COVID-19 in the LGU;

WHEREAS, the City Tourism and Cultural Affairs office (CTCAO) in cooperation with the City Management Information System Office (CMIS) developed the HIGALA ONLINE APPLICATION (HIGALA APP) for the purpose of establishing a contact tracing system for highly infectious disease like COVID-19 and similar contagion;

WHEREAS, HIGALA APP can also be utilized by the City Government for other health related programs requiring the use of accumulated data concerning its residents.

NOW, THEREFORE:

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. Short Title - This Ordinance shall be known as the **Higala App Ordinance**.

SECTION 2. Declaration of Policy. - It shall be the Policy of the City Government of Cagayan de Oro to formulate, adopt and implement programs, policies and guidelines intended to prevent the transmission of COVID-19 and other emerging and reemerging infectious diseases within its area of jurisdiction.

SECTION 3. Definition of Terms -

- a. **Higala App** shall refer to the Higala Online Contact Tracing Application;



- b. **QR Code** shall refer to the machine-readable code containing a matrix dots which typically stores information and can be scanned using the Higala Android Scanner App;
- c. **Higala QR Code** shall refer to the Unique QR code generated by the Higala Online Application;
- d. **Higala App Secured Database** shall refer to the system database which stores and processes the basic information of registered individuals, managed according to the Data Privacy Act of 2012;
- e. **Individual** shall refer to the customers, visitors and employees of Public and Private Establishments, Offices and Entities;
- f. **Primary Valid I.D.** refers to any valid, unexpired government issued IDs as follows:
 - i. Driver's License
 - ii. Philippine Passport
 - iii. GSIS ID or GSIS UMID Card
 - iv. SSS ID or SSS UMID
 - v. PRC ID
 - vi. Integrated Bar of the Philippines ID
 - vii. iDOLE Card
 - viii. OWWA ID
 - ix. COMELEC Voter's ID
 - x. School ID (for students)
 - xi. Voter's Certification from the City Election Officer with Dry Seal
 - xii. Senior Citizen ID from LGU
 - xiii. Government Office and GOCC ID
 - xiv. Current valid ePassport for renewal of ePassport
 - xv. Government-issued ID proving the Philippine citizenship for applicants who are residing outside PH
 - xvi. Alien Certification of Registration or Immigrant Certificate of Registration
- g. **Secondary Valid I.D.** refers to any valid, unexpired Personal I.D. as follows:
 - i. NBI Clearance
 - ii. Barangay Clearance
 - iii. Police Clearance
 - iv. Cedula or Community Tax Certificate
 - v. Voter's Certification
 - vi. Elementary or High School Form 137 for students
 - vii. Government Service Record
 - viii. Transcript of Records from University or College
 - ix. Alumni ID
 - x. Land Title
 - xi. PhilHealth Card
 - xii. PSA Marriage Contract
 - xiii. PSA Birth Certificate
 - xiv. Seaman's Book
 - xv. Old Postal ID
 - xvi. PWD ID
 - xvii. TIN Card
 - xviii. Firearm's License Card
 - xix. PLRA ID
 - xx. IDs issued by Cooperatives



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- xxi. IDs issued by duly registered Associations
- xxii. Credit Card with photo.
- h. **Public Establishment** shall refer to a building or public space owned, leased or controlled by local and national government for government purposes;
- i. **Private Establishment** shall refer to a building or enclosed space which is owned, lease or controlled by a non-government entity for a non-government purpose, which includes but not limited to, commercial, industrial, indoor establishments, churches, hospitals, accommodation establishments (Hotels, Tourist Inns, Etc.), Banks and other Financial Services, Supermarket and Groceries, public markets;
- j. **Entities** shall refer to those which are not defined in Section 2(h) & (i) such as enclosed spaces and services including but not limited to cemeteries, enclosed spaces with multiple entries and exits such as malls, hospitals and transport terminals as well as bus lines, airlines, marine transport vessels, airport transfer services and taxis and other enclosed public transport services.
- k. **Scanner/Scanning Device** shall refer to any device running on the Android Operating System, where the Higala Scanner App is installed.
- l. **PC** shall refer to any desktop, laptop personal computer running on the Windows or Mac (OS X) operating systems.
- m. **Tablet/Smart Device** shall refer to any mobile device running on any of the available mobile operating systems.
- n. **Android Device** shall refer to any mobile device running on the Google Android Operating System
- o. **Data/Data Subject** shall refer to an individual whose personal information is processed following the protocols of the Data Privacy Act.
- p. **Consent of the Data Subject** shall refer to any freely given, specific informed indication of will, whereby the data subject consents to the collection and processing of the data relating to him/her.

SECTION 4. The Higala App. - The Higala App is a system that allows individuals to log their basic information upon registration. Upon completion of registration, a unique QR Code is generated and can be downloaded and/or printed. As soon as any establishment scans the individuals QR Code, their basic information shall be sent and stored in the Higala App Database and be solely used for the contact tracing endeavor of health authorities for all cases of COVID-19 and other highly infectious diseases within the jurisdiction of Cagayan de Oro City.

SECTION 5. Procedure for Registration and the minimum Requirements -

(A) Registration for Public / Private Establishment/Entities

- a. Connect your device (Smartphones, tablets, desktop pc or laptop) to the Internet (Mobile Data or Wi-Fi, LAN).
Open default browser on the device or PC desktop or laptop (*registration can be done with any device*)
 - Private Establishment/Entities: higala.cagayandeoro.gov.ph/establishment
 - Entities: higala.cagayandeoro.gov.ph/facilities
 - Public Establishment: higala.cagayandeoro.gov.ph/office



- b. Tap or click **"Sign Up"**
 - c. Fill in all required information then submit
 - d. The user will be prompted to change password
- A verification code will be sent via SMS to the mobile number provided along with the basic information

Installation and use the Higala Scanner Android App

On the assigned Android Device

- i. Connect to the internet
- ii. Type the URL: ***higala.cagayandeoro.gov.ph/installer/Establishment.apk***
- iii. Your Android device will then download the installer.
- iv. Once installed, while still connected to the internet, Open the app, log-in with your establishment's username and password.

The Higala Scanner App must be used in conjunction with a thermal scanner.

The Android Device only has to be connected to the internet to upload the data subject to the Higala App Secured Database (Every 24 Hours). The Scanning of QR Codes themselves can be done offline.

(B) Registration for Individuals

- a. Connect your device (Smartphones, tablets, desktop pc or laptop) to the Internet (Mobile Data or Wifi);
- b. Open default browser on the device;
- c. Use the url: *higala.cagayandeoro.gov.ph*;
- d. Tap or click **"Register Now"**;
- e. Fill in basic information then submit;
- f. The user will be prompt to change password;
 - i. A verification code will be sent via SMS to the mobile number provided along with the basic information;
- g. After changing the password, you will be redirected to you own profile page.
- h. Click (PC/Tablet) or tap (Smart device) "My QR Code"
- i. The system will then show the unique QR Code
- j. **Download** the unique QR code your device
 - i. Save to photos (Smart device) or download & print (PC or laptop)
- k. Upon entering any establishment, present the unique QR code for scanning, as well as present a valid I.D. for verification of identity
- l. Verify the details of the Confirmation Ticket before entering

Those who do not have any access to any PC or smart device, the Cagayan de Oro City Hall will conduct a mass registration thru the Office of Community Affairs (OCA).

(C) Minimum Requirements for Establishments and Entities

- a. Internet or Mobile Data Connection
- b. Designated Personnel at all entry /access points
 - i. Android device for scanning the Higala App QR Code
 - ii. Thermal Scanner



SECTION 6. Coverage -

- a. **Covered Establishments/Entities.** This Ordinance shall apply to all indoor or enclosed public spaces, private establishments and entities within the territorial jurisdiction of Cagayan de Oro City, including but not limited to government and private offices/workplaces, commercial, industrial and indoor establishments, churches, hospitals, accommodation establishments, banks and other financial services, supermarket and groceries, public markets, cemeteries, transport terminals as well as bus lines, airport transfer services, taxis and other enclosed public transport services;
- b. **Covered Individuals.** This Ordinance shall apply to all customers, visitors and employees of the above-mentioned establishments, whether residents or non-residents of Cagayan de Oro City;
- c. **Cagayan de Oro City Hall Offices.** The following offices shall be responsible in coordinating with the different establishments and entities:
 - i. **City Tourism and Cultural Affairs Office:** Tourism Related Establishments, Facilities, Hospitals, Schools and other offices;
 - ii. **City Economic & Enterprise Department:** Public Markets (Cogon, Carmen, Agora, and Puerto);
 - iii. **East-West Bound Terminals and Public Market:** Bulua Public Market and Terminals;
 - iv. **City Local Environment and Natural Resources Office:** Funeral Establishments and cemeteries
 - v. **Office of Community Affairs:** Barangay Level Registration of Individuals;
 - vi. **Office of the City Administrator:** Churches and other places of worship, and all governments offices/agencies;
 - vii. **Roads and Traffic Administration:** Organized Transport Groups / Associations (PUVs)
 - viii. **City Health Office - HEMS:** Data Contact Tracing; and
 - ix. **Oro Trade, Investment and Promotions Center:** Non-Tourism Related Establishment/ Businesses

SECTION 7. Mandatory use of the Higala App or the "No Higala QR Code, No Entry" Policy - All covered establishments and entities are mandated to assign/designate personnel on every entrance of the establishment. The establishment shall provide the personnel with the android device with the Higala scanner app installed in them. The assigned personnel shall make sure all who will enter the premises will:

- i. Present their Higala QR Code, have them scanned;
- ii. Temperature taken; and
- iii. Present a valid Primary or Secondary I.D. to verify the identity of the individual.

All customers, visitors, and employees of the Public and Private establishments shall not be allowed entry unless they present their unique Higala QR Code.

Special case of exemption shall be granted on the grounds of emergency cases that require urgent and immediate medical attention.



SECTION 8. Storage and Access of the Data Subject / Scanned Individual QR Code. -

The City Government of Cagayan de Oro shall manage the data, strictly adhering to protocol prescribed by the Data Privacy Act of 2012. Access to this data shall be given only to the City Health Office for contact tracing purposes and other health related programs of the City in addressing the need to prevent the spread of COVID-19 and other infectious diseases. The uploading and storage of the scanned individual QR codes shall be done every 24 hours and shall subsequently be disposed of after 30 days.

SECTION 9. Prohibited Acts. - The following acts shall be deemed unlawful under this Ordinance:

I. For Covered Establishments.

- a. Non-Registration to the Higala Online Application (Higala App);
- b. Failure to designate personnel to monitor entrances and scan the Higala QR Code;
- c. Failure to provide the Scanner to the designated personnel;
- d. Deliberate non-scanning of the individual's Higala QR Code;
- e. Allowing entry of customers, visitors, and employees of the establishment who do not possess the Higala QR Code;
- f. Deliberate non-transmittal of the Scanned Individuals QR code within 24 hours from being offline;
- g. Unauthorized access of the information stored by the Higala App Secure Data Base;
- h. Processing/Release of Individual's Basic Information without authorization.

II. For Covered Individuals.;

- a. Providing false information upon registration;
- b. Using another person's unique Higala QR Code and/or allowing other person(s) the use of their unique Higala QR Code; and
- c. Intentionally registering more than one (1) account on the Higala App.

SECTION 10. Administrative Penalty. Any establishment/entity covered by this Ordinance found violating SECTION 9-I of this Ordinance shall be charged with an Administrative Penalty of:

- | | | |
|-------------------|---|------------------------------------------------------------------------------------------|
| a) First Offense | : | One Thousand Pesos (₱1,000.00)
(Suspension of Business Permit for one (1) month) |
| b) Second Offense | : | Three Thousand Pesos (₱3,000.00)
(Suspension of Business Permit for three (3) months) |
| c) Third Offense | : | Five Thousand Pesos (₱5,000.00)
(Revocation of Business Permit) |

The offender being a corporation, association, partnership or any other juridical person, the penalty shall be imposed upon the president, director, manager, or managing partner/s, as the case may be, who participated in the commission of the offense or who shall have knowingly permitted or failed to prevent the commission of the same.

Any individual found violating SECTION 9-II of this Ordinance shall be charged with an Administrative Penalty of:

- | | | |
|-------------------|---|--------------------------------|
| a) First Offense | : | Five Hundred Pesos (₱500.00) |
| b) Second Offense | : | One Thousand Pesos (₱1,000.00) |



- c) Third Offense : One Thousand Five Hundred Pesos (₱1,500.00)

In case the offender is a minor, the pertinent penal and related provisions of Ordinance No. 13195-2017, otherwise known as the *Parental Responsibility Code of Cagayan de Oro City*; Ordinance No. 13394-2018, otherwise known as the *Cagayan de Oro City Comprehensive Children's Welfare Code of 2018*; and other laws and legal issuances affecting minors, shall apply.

In case the offender could not pay the administrative fine imposed under this paragraph, he/she may opt to render community service in lieu of paying the administrative fine at the rate equivalent to eight hours per Five Hundred Pesos (₱500.00) worth of administrative fine, and in the manner as provided for under Ordinance No. 12139-2011 (Ordinance Violation Receipt Ordinance) and its Implementing Rules and Regulations (IRR).

In the event the offender fails to pay the administrative fine, or to not render community service in lieu of payment of administrative fine as provided for under this Ordinance, within seventy-two (72) hours from time of apprehension, the OVR Grievance Board shall immediately file a complaint against such person before the courts, and if found guilty of the offense/s shall be penalized with a fine not exceeding Five Thousand Pesos (₱5,000.00) or imprisonment, or both such fine and imprisonment at the discretion of the court.

SECTION 11. Implementation. This Ordinance shall be implemented by the Local Chief Executive with the assistance of the Cagayan de Oro City Police Office, and all concerned offices with the exemption of the City Health-HEMS as indicated in Section 6(c), to wit:

- I. Coordination and Registration of Establishments, Entities and Individuals**
 - a. City Tourism and Cultural Affair
 - b. City Economic & Enterprise Department
 - c. East-West Bound Terminals and Public Market
 - d. City Local Environment and Natural Resources Office
 - e. Roads and Traffic Administration
 - f. Oro Trade, Investment and Promotions Center
 - g. Office of the City Administrator
 - h. Office of Community Affairs
- II. Monitoring and Compliance**
 - a. Business Compliance Sub-Sector in tandem with the Cagayan de Oro City Police Office
- III. Issuance of Ordinance Violation Receipt (OVR)**
 - a. Those apprehending officers duly deputized under Ordinance No. 12139-2011 (*Ordinance Violation Receipt Ordinance*) shall issue the appropriate OVRs to the offender covered establishments, entities and individuals, as the case may apply.

SECTION 12. Separability Clause. In case any provision, section or part of this Ordinance is declared unconstitutional or illegal, the remaining provisions shall stay in effect.

SECTION 13. Repealing Clause. All other Ordinances and Resolutions contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.



SECTION 14. Effectivity. This ordinance shall take effect after its posting at prominent places in the City Hall of Cagayan de Oro for a minimum period of 3 consecutive weeks and its publication in a newspaper of circulation within the city.

UNANIMOUSLY APPROVED.

Author: Councilor Maria Lourdes S. Gaane
Co-Authors: Vice Mayor Raineir Joaquin V. Uy, Councilor Ian Mark O. Nacaya, Councilor Teodulfo E. Lao, Jr., Councilor Edgar S. Cabanlas, Councilor Joyleen Mercedes L. Balaba, Councilor Suzette G. Magtajas-Daba, Councilor Enrico D. Salcedo, Councilor Edna M. Dahino, Councilor Jay R. Pascual, Councilor Roger G. Abaday, Councilor Zaldy O. Ocon, Councilor George S. Goking, Councilor Reuben R. Daba, Councilor Romeo V. Calizo, Councilor Yan Lam S. Lim and Councilor John Michael L. Seno

Present:

1 st District:	- Councilor Edna M. Dahino	- Councilor Roger G. Abaday
	- Councilor Jay R. Pascual	- Councilor Romeo V. Calizo
	- Councilor Reuben R. Daba	
2 nd District:	- Councilor Joyleen Mercedes L. Balaba	- Councilor Maria Lourdes S. Gaane
	- Councilor Ian Mark O. Nacaya	- Councilor Edgar S. Cabanlas
	- Councilor Suzette G. Magtajas-Daba	- Councilor Teodulfo E. Lao, Jr.
	- Councilor Enrico D. Salcedo	
Ex-Officio:	- Councilor Yan Lam S. Lim	- Councilor John Michael L. Seno
Abstained:	- Councilor Lordan G. Suan	- Councilor Jocelyn B. Rodriguez
On Official Business:	- Councilor George S. Goking	
Absent:	- Councilor Zaldy O. Ocon (Indisposed)	

ENACTED this 8th day of February 2021 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested:

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR

Approved:

OSCAR S. MORENO
CITY MAYOR