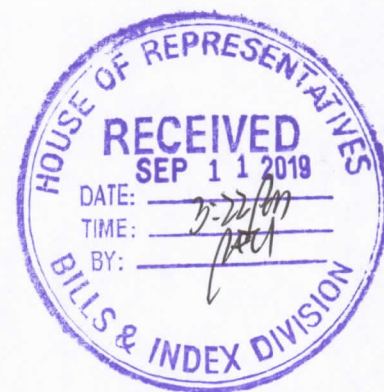


1 EIGHTEENTH CONGRESS OF THE)
2 REPUBLIC OF THE PHILIPPINES)
3 *First Regular Session*)
4
5



HOUSE OF REPRESENTATIVES

H. B. No. 4552

6
7
8 Introduced by Rep. Vilma Santos-Recto
9 6th District of Batangas
10

AN ACT

11 PROVIDING FOR THE ESTABLISHMENT OF TIMBANGAN NG BAYAN
12 CENTERS IN PUBLIC AND PRIVATE MARKETS NATIONWIDE, AMENDING
13 FOR THE PURPOSE REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS THE
14 "CONSUMER ACT OF THE PHILIPPINES," AND FOR OTHER PURPOSES
15

EXPLANATORY NOTE

16
17 With the current global economic downturn and the relative volatility of our
18 economy, prices of commodities in the local market have been increasing significantly. From
19 2012-2018 the Philippines registered an average of 2.8% inflation rate per annum, effectively
20 reducing the purchasing power of the peso by about 14.7%¹. This is particularly prevalent in
21 food and non-alcoholic commodities; whose prices rose by about 6.7% from December 2017
22 to December 2018². This makes it more difficult for the average Filipino households to
23 provide for their basic food needs.
24

25 The adverse effect of rising prices is further aggravated by unscrupulous business
26 practices in our local markets. One of the more pervasive frauds committed in the
27 marketplace is the use of inaccurate weighing scales. While many national and local
28 government operatives may have been diligent in confiscating defective weighing
29 instruments, many consumers are still unknowingly victimized because they have no means
30 to proactively prevent fraud.
31

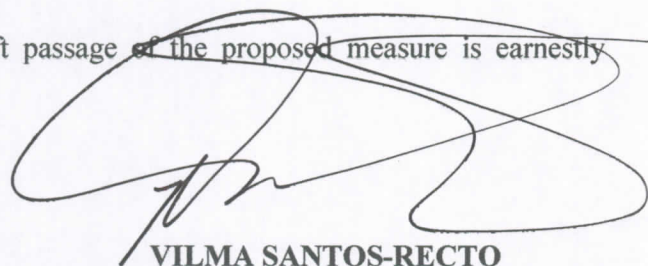
¹ Bangko Sentral ng Pilipinas. *Consumer Price Index, Core Inflation, Inflation Rate & Purchasing Power of the Peso*. Retrieved from http://www.bsp.gov.ph/statistics/efs_prices.asp on July 17, 2019.

² Philippine Statistics Authority. *Summary Inflation Report Consumer Price Index (2012=100): December 2018*. Retrieved from <http://psa.gov.ph/statistics/survey/price/summary-inflation-report-consumer-price-index-2012100-july-2018> on July 17, 2018.

1 To remedy the problem, this bill seeks to mandate local government units, through the
2 assistance of the Department of Trade and Industry, to establish *Timbangan ng Bayan*
3 Centers in all public and private markets nationwide. *Timbangan ng Bayan* Centers will
4 provide readily accessible standards and instruments for weights and measures that can
5 benefit the public in two ways. One, it can enable consumers to protect themselves from
6 deceptive, unfair and unconscionable sales and business practices. Two, it can deter
7 underhanded merchants from committing fraudulent acts to improve their profit margins.

8
9 Ultimately, this bill seeks to aid in realizing the intentions of Republic Act No. 7394,
10 otherwise known as the "Consumer Act of the Philippines" in protecting the interests of the
11 consumers, promoting their general welfare, and in establishing standards of conduct for
12 business and industry.

13
14 In view of the foregoing, the swift passage of the proposed measure is earnestly
15 sought.



VILMA SANTOS-RECTO

1 EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

H. B. No. 4552

Introduced by Rep. Vilma Santos-Recto
6th District of Batangas

AN ACT

PROVIDING FOR THE ESTABLISHMENT OF TIMBANGAN NG BAYAN
CENTERS IN PUBLIC AND PRIVATE MARKETS NATIONWIDE, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS THE
“CONSUMER ACT OF THE PHILIPPINES,” AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

2 Section 1. A new Article 62-A shall be inserted after Article 62 of Republic Act No.
3 7394, otherwise known as the “Consumer Act of the Philippines,” to read as follows:

4 “ARTICLE 62-A. ESTABLISHMENT OF *TIMBANGAN NG*
5 *BAYAN* CENTERS. – ALL CITY AND MUNICIPAL GOVERNMENTS,
6 THROUGH THEIR CITY AND MUNICIPAL TREASURERS, SHALL
7 ESTABLISH *TIMBANGAN NG BAYAN* CENTERS IN ALL PUBLIC
8 AND PRIVATE MARKETS, INCLUDING SUPERMARKETS, FLEA
9 MARKETS OR *TIANGGES*, WITHIN THEIR RESPECTIVE
10 LOCALITIES, WHERE INSTRUMENTS FOR DETERMINING
11 WEIGHTS AND MEASURES SHALL BE OPEN FOR AND
12 ACCESSIBLE TO ANY PERSON WHO NEEDS TO VERIFY THE
13 ACCURACY OF THE QUANTITY AND MEASUREMENTS OF THE
14 PRODUCTS PURCHASED.

15 “THE SAFEKEEPING AND MAINTENANCE OF SAID
16 INSTRUMENTS SHALL BE UNDER THE CONTROL AND
17 SUPERVISION OF THE MARKET SUPERVISOR WHO SHALL
18 LIKEWISE BE RESPONSIBLE FOR MAINTAINING A RECORD OF
19 EVERY PRODUCT FOUND TO BE WANTING IN QUANTITY OR

1 SUBSTANDARD IN DIMENSION, AS WELL AS THE
2 ESTABLISHMENT WHERE THE SAME WAS BOUGHT INCLUDING
3 THE NAME/S OF THE PROPRIETOR/S OR MANAGER/S THEREOF.
4 A CERTIFICATION DULY ISSUED BY THE MARKET SUPERVISOR
5 OR AN AUTHORIZED REPRESENTATIVE REFLECTING THE
6 CONTENTS OF SUCH RECORD SHALL BE *PRIMA FACIE*
7 EVIDENCE OF A VIOLATION OF ARTICLE 64 OF THIS ACT.

8 "THE PROHIBITED ACTS RELATIVE TO WEIGHTS AND
9 MEASURES PROVIDED UNDER SECTION 64 OF THIS ACT SHALL
10 LIKEWISE APPLY TO *TIMBANGAN NG BAYAN* INSTRUMENTS."

11 Sec. 2. Article 64 of Republic Act No. 7394, otherwise known as the "Consumer Act
12 of the Philippines," is hereby amended to read as follows:

13 "ARTICLE 64. *Fraudulent Practices Relative to Weights and*
14 *Measures.* – The following acts relating to weights and measures are
15 prohibited:

16 "x x x.

17 "h) for any person to fraudulently alter, **TAMPER, VANDALIZE**
18 **OR DESTROY** any scale, balance, *TIMBANGAN NG BAYAN*, weight or
19 measure after it is officially sealed;"

20 Sec. 3. Article 65 of Republic Act No. 7394, otherwise known as the "Consumer Act
21 of the Philippines," is hereby amended to read as follows:

22 "Article 65. Penalties. – a) Any person who shall violate the
23 provisions of paragraphs (a) to (f) and paragraph (l) of Article 64 **OF THIS**
24 **ACT** or its implementing rules and regulations shall, upon conviction, be
25 subject to a fine of not less than [~~Two hundred pesos (P200.00)~~] **FIFTY**
26 **THOUSAND PESOS (P50,000.00)** but not more than [~~One thousand pesos~~
27 (~~P1,000.00~~)] **THREE HUNDRED THOUSAND PESOS (P300,000.00)** or
28 by imprisonment of not [~~more~~] **LESS** than one (1) year **BUT NOT MORE**
29 **THAN FIVE (5) YEARS** or both upon the discretion of the court.

30 "b) Any person who shall violate the provisions of paragraph (g) of
31 Article 64 for the first time shall be subject to a fine of not less than [~~Five~~
32 ~~hundred pesos (P500.00)~~] **FIFTY THOUSAND PESOS (P50,000.00) BUT**
33 **NOT MORE THAN THREE HUNDRED THOUSAND PESOS**

(P300,000.00) or by imprisonment of not less than one (1) ~~[month]~~ YEAR but not more than five (5) years or both^[5] upon the discretion of the court.

“c) The owner^[-], possessor or user of instrument of weights and measure enumerated in paragraphs (h) to (k) of Article 64 **OF THIS ACT** shall, upon conviction, be subject to a fine of not less than ~~[Three hundred pesos-(P300.00)]~~ **FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN THREE HUNDRED THOUSAND PESOS (P300,000.00)** or **BY** imprisonment **OF** not ~~[exceeding one]~~ **LESS THAN** (1) year **BUT NOT MORE THAN FIVE (5) YEARS^[5]** or both^[5] upon the discretion of the court: **PROVIDED, THAT TWO (2) SUCCESSIVE VIOLATIONS OF THIS ACT SHALL AUTOMATICALLY RESULT IN THE CANCELLATION OF THE BUSINESS PERMIT OF THE ERRING BUSINESS ESTABLISHMENT.**”

Sec. 4. *Assistance to Provincial, City and Municipal Governments.* – The Department of Trade and Industry (DTI) shall provide assistance to cities and municipalities in the establishment of *Timbangan ng Bayan* Centers nationwide under its consumer protection and other relevant programs and projects: *Provided, That* priority shall be accorded to cities and municipalities belonging to fourth, fifth and sixth income classifications.

Sec. 5. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, the Department of the Interior and Local Government and the DTI shall, in coordination with the Union of Local Authorities of the Philippines, the League of Cities of the Philippines, the League of Municipalities of the Philippines, and other relevant government agencies and stakeholders, promulgate the rules and regulations to effectively implement the provisions of this Act.

Sec. 6. *Separability Clause.* – If any provision, section or part of this Act shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other provisions, sections or parts hereof.

Sec. 7. *Repealing Clause.* – All laws, decrees, orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation or in the *Official Gazette*.

Approved,