

EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }

S E N A T E      '19 JUL 15 10:52  
S.B. No. 487

RECEIVED BY SENATOR VICENTE C. SOTTO III

**AN ACT  
MODERNIZING THE NATIONAL MEASUREMENT SYSTEM (NMS) OF THE  
PHILIPPINES, CREATING FOR THIS PURPOSE THE NATIONAL  
MEASUREMENT INSTITUTE OF THE PHILIPPINES, APPROPRIATING  
FUNDS THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

In 2003, Republic Act 9236, also known as the “National Metrology Act of 2003” established the National Measurement Infrastructure System (NMIS). The National Metrology Division (NMD) of the Industrial Technology Development Institute (ITDI) is the one tasked to develop, maintain, and disseminate measurement standards in the country. However, coping with today’s rapid technological changes have become more difficult due to its limited fund, personnel and facility.

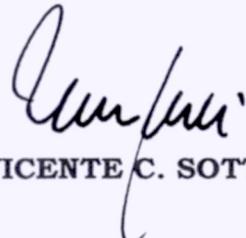
Metrology affect standards, technical regulations and conformity assessment. It plays a crucial role in the development of society, trade, and consumer protection. Verily, its scope is too broad to be under a multi-disciplinary institute such as ITDI.

Hence, the proposed legislation seeks to transform the NMD into National Measurement Institute of the Philippines (NMIPhil), which shall be directly attached to the Department of Science and Technology (DOST). Also set forth in the bill are the distinct functions of the NMIPhil and the National Metrology Board (NMB). The latter’s composition, as created under

Section 5 of RA 9236, shall now include the Secretary or duly authorized representative of the following agencies/offices: Department of Energy (DOE), Department of Public Works and Highways (DPWH), Department of National Defense (DND), Department of Information and Technology (DICT), Department of Transportation (DOTr), Local Authorities of the Philippines, and Committees on Science and Technology of the Senate and House of Representatives. The NMB shall be responsible for the control of measurement, ensuring harmonization of policies/regulations, and its proper implementation and coordination.

This will enable our country to formally establish its linkages with international and regional metrology organizations and/or associations such as Metre Convention, Asia Pacific Metrology Programme (APMP) and the Asia Pacific Legal Metrology Forum (APLMF) among others. A national measurement system that is consistent with the ASEAN and international standards will minimize market failure, reduce transaction costs, increase economic efficiency, and support innovation. Filipinos will no longer have to settle with measurements which are “*medyo tama*”, “*pwede na yan*” or “*sakto na*”. Ultimately, the bill is geared towards improving our quality of life.

Thus, the passage of this bill is earnestly sought.



VICENTE C. SOTTO III

EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
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As Passed  
Senate Committee on Science and Technology

SENATE  
S.B. No. 487

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MODERNIZING THE NATIONAL MEASUREMENT SYSTEM (NMS) OF THE  
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FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

1       Section 1. **Title.** – This Act shall be known and cited as the  
2       “Modernized National Measurement System Act”.

3       Section 2. **Declaration of Policy.** – It is hereby declared to be the  
4       policy of the State to facilitate the development of scientific and technical  
5       knowledge and progress in the national economy by providing a modernized  
6       National Measurement System (NMS) that will ensure the integrity of  
7       measurements in the country, meet regional and international  
8       requirements, and provide support for the competitiveness of Philippine  
9       products and services. The State shall also support the undertaking of  
10      necessary activities to promote metrology, to develop appropriate  
11      infrastructures, to support research in metrology and to protect the health,  
12      safety and interest of every citizen and his environment against possible  
13      abuse related to measurements.

14      The State shall support the harmonization of national requirements,  
15      including technical regulations, document standards and conformity  
16      assessment procedures, with international requirements as envisioned in

1 the ASEAN Economic Community (AEC), World Trade Organization (WTO)  
2 and other international agreements and covenants resulting to free flow of  
3 goods and services, and a predictable trading environment.

4 The State shall provide support to metrology research and  
5 development for the purpose of continuously improving the national  
6 measurement standards and their measurement uncertainties, developing  
7 novel measurement techniques and technologies aiming at Philippine  
8 industry take-up to stimulate industrial innovation; coming-up with  
9 solutions for societal challenges focusing on contributions for energy  
10 efficiency, food security, environment protection, and citizen's health,  
11 security and economic well-being; and address locally the measurement  
12 needs of society and industry.

13 Section 3. **Scope.** – This Act shall cover all agencies, institutions,  
14 entities involved in metrological activities and processes, both private and  
15 public.

16 Section 4. **Objectives.** – In furtherance of the policies enunciated in  
17 this Act, the following objectives shall be pursued:

- 18 a. Transform the existing National Metrology Division of the Industrial  
19 Technology Development Institute to the National Measurement  
20 Institute of the Philippines directly under the Department of  
21 Science and Technology;
- 22 b. Designate the National Measurement Institute of the Philippines as  
23 the country's national metrology institute;
- 24 c. Ensure that measurements in the country are reliable;
- 25 d. Strengthen and harmonize the country's measurement system in  
26 accordance to international best practices to support confidence to  
27 in measurements in for regulation, trade and manufacturing;
- 28 e. Implement legal metrological controls of measuring instruments in  
29 the country—in the interest of fair trade, health, safety, law  
30 enforcement, and environment protection.

- 1                   f. Disseminate knowledge on state-of-the-art calibration techniques  
2                   and develop competencies on legal metrological controls through  
3                   capacity building programs; and  
4                   g. Foster a metrology culture that will instill a keen appreciation of  
5                   metrology as a discipline through the integration of metrology  
6                   courses in the educational system.

7                   Section 5. **Definition of terms.** –For the purpose of harmonizing with  
8                   international best practices, the following terms are in reference to the  
9                   International Vocabulary of Metrology and International Vocabulary of Legal  
10                  Metrology:

- 11                  a. Accreditation – is the process in which an authoritative body  
12                  formally recognizes the competence, impartiality and capability of  
13                  an organization to carry out specific activities, such as  
14                  certification, testing, calibration and inspection.
- 15                  b. ASEAN Common Requirements of Prepackaged Products – is a  
16                  regionally-agreed document specifying the labelling requirements  
17                  and allowed quantity deficiency in prepackaged products for  
18                  ASEAN Member States namely Brunei Darussalam, Cambodia,  
19                  Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore,  
20                  Thailand and Viet Nam.
- 21                  c. Asia Pacific Legal Metrology Forum (APLMF) – is a grouping of legal  
22                  metrology authorities from the Asia Pacific Economic Co-operation  
23                  Member economies and other economies in the Pacific Rim for the  
24                  development of legal metrology and promotion of free and open  
25                  trade in the Asia Pacific region through harmonization and  
26                  removal of technical or administrative barriers to trade in the field  
27                  of legal metrology.
- 28                  d. Asia Pacific Metrology Programme (APMP) – is a grouping of  
29                  national metrology institutes from the Asia-Pacific region for the  
30                  promotion and support of a measurement infrastructure in the  
31                  Asia Pacific region that facilitates international trade, improves  
32                  industrial efficiency and competitiveness, ensures equity in the

- marketplace, and enhances the quality of life and the environment through reliable measurements.
- e. Calibration – operation that, under specified conditions, in a first step, establishes a relation between the quantity values with measurement uncertainties provided by measurement standards and corresponding indications with associated measurement uncertainties and, in a second step, uses this information to establish a relation for obtaining a measurement result from an indication.
  - f. Calibration laboratories – public or private entities that perform tests and/or calibrations in a permanent, temporary, or remote location.
  - g. Certification - procedure by which a third party provides written attestation that a product, process or service meets specified requirements.
  - h. Conformity assessment – is a set of processes that shows a product, service or system meets specified requirements. The main forms of conformity assessment are testing, certification, and inspection.
  - i. Designated Institutes – are organizations or entities appointed by a country's national metrology institute to hold specific measurement standards or services that are not covered by the national metrology institute.
  - j. Inspection - examination of a measuring instrument to ascertain all or some of the following: verification mark and/or certificate is valid, no sealing marks are damaged, after verification the instrument suffered no obvious modification, its errors do not exceed the maximum permissible in service errors. Inspection of a measuring instrument may be done only after verification.
  - k. International System of Units or Système International d'Unités (SI) in French – is the modern metric system establishing seven base units for base quantities namely metre for length, kilogram for mass, second for time, ampere for electric current, kelvin for

thermodynamic temperature, mole for amount of substance and candela for luminous intensity. The derived units of the SI (e.g. metre per second, watt, newton, etc.) are then formed as products of powers of the base units, according to the algebraic relations that define the corresponding derived quantities in terms of the base quantities.

1. Legal Metrological Controls – series of evaluations and periodic checks performed on regulated measuring instruments throughout their lifetime to monitor if they are still suitable for their intended use. For prepackaged products, it refers to the checking of the quantities contained in the package with reference to the quantity indicated in the label.
2. Legal Metrology – is the practice and process of applying regulatory structure and enforcement to measurements and measuring instruments to ensure trade and legal decisions are fair, and that the health, safety and interest of every citizen and his environment are protected against possible abuse related to wrong measurements.
3. Legal Units of Measurement - units of measurement required or permitted by regulations.
4. Measurement Standard – is a material measure, measuring instrument, reference material or measuring system intended to define, realize, conserve or reproduce a unit, or one or more values of a quantity to serve as a reference.
5. Measuring Instrument – is a device used for making measurements, alone or in conjunction with one or more supplementary devices. This may be an indicating measuring instrument or a material measure.
6. Metre Convention – is a diplomatic treaty which established a permanent organizational structure for member governments to act in common accord on all matters relating to metrology.

- r. metrological traceability– is the property of a measurement result whereby the result can be related to a reference through a documented unbroken chain of calibrations, each contributing to the measurement uncertainty.
- s. Metrology – science of measurement and its application. It includes all theoretical and practical aspects of measurement.
- t. National Accreditation Body – is a national organization which attests to the competence and impartiality of conformity assessment bodies (testing and calibration laboratories, certification and inspection bodies), according to internationally accepted standards.
- u. National Measurement Standards - measurement standard recognized by national authority to serve in a state or economy as the basis for assigning quantity values to other measurement standards for the kind of quantity concerned.
- v. National Measurement System (NMS) – collective infrastructure of national facilities, expertise, knowledge and research, and is also a legal framework for reliable, consistent and internationally recognized measurement. The infrastructure encompasses essential elements of both the public and private sector.
- w. National Metrology Institutes – are bodies with the responsibility of maintaining the national measurement standards and disseminating the SI Units nationally (i.e. they provide metrological traceability).
- x. International Organization for Legal Metrology or Organisation Internationale de Métrologie Légale (OIML) in French – is an intergovernmental organization comprising of one hundred twenty-six (126) governments that establishes the coordination and harmonization at the international level the administrative and technical regulations applied to measurements and measuring instruments passed by different governments.

- y. OIML Recommendations - are model regulations that establish the metrological characteristics required of certain measuring instruments and which specify methods and equipment for checking their conformity. These model regulations are concerned with the acceptable tolerances referred to as maximum permissible errors, within which regulated measurements and measuring instruments should operate despite variations in temperature and humidity, power supply and electromagnetic interference.
  - z. Prepackaged Products - are commodities that are enclosed in a container or wrapped in any manner, and for which their quantities have been determined and indicated on their labels prior to being offered for sale. The quantity contained cannot be changed without the prepackaged product being opened or doing a perceptible modification.

aa. Proficiency Testing – is a comparison activity that determines the performance of individual laboratories for specific tests or measurements and is used to monitor laboratories' continuing performance.

bb. Working Measurement Standard – is a measurement standard that is used routinely to calibrate or verify measuring instruments or measuring systems

#### **Section 6. National Measurement Institute of the Philippines. –**

23 The National Metrology Division (NMD), a division under Industrial  
24 Technology Development Institute responsible for establishing and  
25 maintaining the national measurement standards in physical quantities, is  
26 hereby transformed to the National Measurement Institute of the Philippines  
27 (NMIPhil). Thereafter, all powers, functions, duties, records, files and assets  
28 including plantilla positions of the NMD shall be transferred to the NMIPhil.  
29 There shall be no diminution of rank and salaries, allowances and benefits  
30 of transferred employees. New employees of NMIPhil shall be entitled to the  
31 same allowances and benefits as those of the transferred employees.

1       The NMIPhil shall be designated as the country's national metrology  
2 institute. It shall be an attached agency of the Department of Science and  
3 Technology (DOST) for policy, program coordination and administrative  
4 supervision.

5       The NMIPhil shall be headed by a Director General. The Director  
6 General shall be appointed by the President upon recommendation by the  
7 Secretary of the DOST and shall receive the benefits, privileges and  
8 emoluments equivalent to the rank of Undersecretary.

9       As the chief executive officer of the NMIPhil, the Director General shall  
10 exercise general supervision and control to its technical and administrative  
11 personnel and shall be assisted by at least one (1) Deputy Director General.

12      The NMIPhil, in coordination with the Department of Budget and  
13 Management and the Civil Service Commission, shall determine the  
14 appropriate administrative and technical support complement necessary for  
15 the effective and efficient operations of the Institute.

16      **Section 7. Functions, Duties And Responsibilities of The National**  
17 **Measurement Institute of the Philippines.** – The NMIPhil shall have the  
18 following functions:

- 19       a. To maintain and continuously update the national measurement  
20 standards in all relevant fields for the Philippines; as such the  
21 NMIPhil shall guarantee that all metrological laboratories,  
22 infrastructure, equipment, instruments, artifacts, reference  
23 standards and other similar articles are in good condition,  
24 internationally compliant and reliant and other qualities that may  
25 be required in the future;
- 26       b. To provide metrological traceability to the International System of  
27 Units (SI) for measurements used in regulations, trade and  
28 manufacturing;
- 29       c. To facilitate international harmonization and comparability of  
30 measurements;

- 1           d. To strengthen the collaboration with calibration laboratories in the  
2           areas of capacity building—and harmonization of measurement  
3           procedures;
- 4           e. To offer technical support to industry in measurement related  
5           issues;
- 6           f. To appoint competent laboratories as “Designated Institutes” for  
7           specific measurement fields of national interest not covered by the  
8           national metrology institute e.g. ionizing radiation and time among  
9           others;
- 10          g. To coordinate with other local institutes/bodies having metrological  
11          responsibilities (radiation, standard time and dissemination, etc);
- 12          h. To disseminate knowledge and competencies in metrology through  
13          education and capacity building programs to relevant regulatory  
14          bodies and other entities responsible for the implementation of  
15          legal metrological controls;
- 16          i. To engage and/or coordinate research and development work in  
17          metrology;
- 18          j. To strengthen and develop a human resource development  
19          program. Hence, there shall be a continuing human resource  
20          development program; provided that capacity building activities  
21          needed to upgrade capacities of technical personnel to a travel  
22          bond or its equivalent return of service as determined by existing  
23          laws. Otherwise, the NMIPhil may invite foreign experts to conduct  
24          trainings, render technical services such as repair, calibration and  
25          the like, which shall be charged to its funds;
- 26          k. To represent the Philippines’ interest in international and regional  
27          metrology organizations;
- 28          l. To provide support to Quality Infrastructure-related institutes,  
29          especially standardization and accreditation in aspects related to  
30          metrology.

31           Section 8. **National Measurement Standards.** – The NMIPhil shall  
32          periodically undertake metrological activities, calibration, re-calibration and

1 other related activities to effectively undertake its functions, duties and  
2 responsibilities, and comply with international standards.

3 Any equipment, instrument, artifact, and/or other National  
4 Measurement Standards used by NMIPhil that shall be subject to such  
5 activities, including proficiency testing, comparison measurements,  
6 preventive maintenance and repair, requiring foreign technical services;  
7 such processes shall be exempt from any taxes, dues, and other impositions  
8 by the Bureau of Customs, Bureau of Internal Revenue or by the Secretary  
9 of Finance. The implementing mechanism shall be included in the  
10 Implementing Rules and Regulations of this Act.

11       Section 9. **Memberships of the Philippines.** – The State shall ensure,  
12 through the NMIPhil, that the Philippines' measurement system is linked to  
13 the global metrology system by becoming a Signatory to the Metre  
14 Convention, a Full Member of the Asia Pacific Metrology Programme (APMP),  
15 a Member State of the International Organization for Legal Metrology (OIML)  
16 and a Full Member of the Asia Pacific Legal Metrology Forum (APLMF).

17       Linkages or affiliations to other international and regional metrology  
18 organizations and/or associations, other than those mentioned, that are of  
19 interest to the country's national measurement system shall be established.

20       Section 10. **National Metrology Board.** – The National Metrology  
21 Board (NMB), hereinafter referred to as the Board, shall be chaired by the  
22 Secretary of the DOST. It shall be composed of the Secretaries of the  
23 following agencies or their duly authorized representative, preferably with  
24 the rank of Undersecretary, as ex officio members:

- 25           (a) Department of Environment and Natural Resources (DENR)
- 26           (b) Department of Health (DOH)
- 27           (c) Department of Trade and Industry (DTI)
- 28           (d) Department of Energy (DOE)
- 29           (e) Government Recognized body representative from the Local  
30           Government Units
- 31           (f) National Measurement Institute of the Philippines (NMIPhil)

- 1                   (g) One (1) representative each from the  
2                   i. manufacturing industry sector;  
3                   ii. local manufacturer of measuring instruments; and  
4                   iii. private calibration laboratories/professional metrology  
5                   association of national membership;

6                   Each member shall be appointed by the Secretary of the DOST and  
7                   shall have a term of (3) years.

8                   When the Board deems it necessary for the effective implementation of  
9                   this Act, it may call upon the heads of the following departments/agencies  
10                  and private institutions such as, but not limited to:

- 11                  • Department of Agriculture (DA)
- 12                  • Department of Justice (DOJ)
- 13                  • Department of Interior and Local Government (DILG)
- 14                  • Department of National Defense (DND)
- 15                  • Department of Information Communication Technology (DICT)
- 16                  • Department of Public Works and Highways (DPWH)
- 17                  • Department of Transportation (DOTr)
- 18                  • Local Government Units (LGUs)
- 19                  • Bureau of Customs (BOC)
- 20                  • Energy Regulatory Commission (ERC)
- 21                  • Food and Drug Administration (FDA)
- 22                  • Manila International Airport Authority (MIAA)
- 23                  • Manila Electric Company (MERALCO)
- 24                  • Manila Water Company, Inc.
- 25                  • Maynilad Water Services, Inc.
- 26                  • Metropolitan Manila Development Agency (MMDA)
- 27                  • Metropolitan Waterworks and Sewerage System (MWSS)
- 28                  • National Food Authority (NFA)
- 29                  • National Meat Inspection Service (NMIS)
- 30                  • National Telecommunications Commission (NTC)
- 31                  • Oil Industry Management Bureau (OIMB)
- 32                  • Philippine Drug Enforcement Agency (PDEA)

- 1           • Sugar Regulatory Authority (SRA)

2           The Board shall convene at least twice a year. Special meetings may  
3   be convened upon the request of the Chair or majority of the Board  
4   members. Each member of the Board shall be entitled to incentives and  
5   allowances for his/her attendance to regular and special meetings based on  
6   prevailing DOST guidelines.

7           The National Measurement Institute of the Philippines is hereby  
8   mandated to serve as the Board's Secretariat.

9           Section 11. **Functions, Duties And Responsibilities of the National**  
10 **Metrology Board.** – The Board shall be responsible for the legal metrological  
11 controls in the country, in coordination with other executive branches of  
12 government. It shall ensure uniformity of procedures and their proper  
13 implementation.

14          In the exercise of its functions, duties and responsibilities, the Board  
15 shall have the power to engage both public and private entities in imposing  
16 its policies in order to ensure that measurements and measuring  
17 instruments used in trade, health, safety, law enforcement and environment  
18 protection are subjected to legal metrological controls and are complying  
19 with the relevant regulations.

20          The Board shall likewise perform such other functions which may be  
21 necessary in implementing this Act.

22          Section 12. **National Measurement System.** – The National  
23 Measurement System (NMS) shall provide and maintain the necessary  
24 infrastructure to support confidence in measurements used for regulation,  
25 trade, and manufacturing in the country and it shall cover the following:

- 26           a. legal units of measurement;
- 27           b. national measurement standards;
- 28           c. hierarchy of measurement standards and metrological traceability;
- 29           d. national legal metrology regulations for measurements and  
30           measuring instruments;
- 31           e. legal metrological controls;

- 1                   f. certification system; and  
2                   g. accreditation system.

3                 **Section 13. Registration of Regulated Measuring Instruments.** –  
4     The State shall require the registration of all measuring instruments used in  
5     trade, health, safety, law enforcement and environment protection with the  
6     National Regulators and Local Government Units.

7                 Those measuring instruments used as working measurement  
8     standards by the National Regulators, Local Government Units, and Board-  
9     authorized entities in the implementation of legal metrological controls, shall  
10    be registered with the Board, through the NMB Secretariat.

11               **Section 14. Legal Units of Measurement.** – The International System  
12    of Units (SI) and combinations of those units shall be the legal units of  
13    measurement mandated to be used in the Philippines including the  
14    following:

- 15               a. non-SI units accepted for use with the SI (e.g. minute, hour, day  
16               for time, hectare for area, tonne for mass, bar for pressure,  
17               angstrom for length, nautical mile for distance, decibel for sound  
18               level); and  
19               b. non-SI units allowed by international agreement (e.g feet for  
20               altitude navigation and mm Hg for blood pressure).

21               **Section 15. Hierarchy of Measurement Standards.** – The NMIPhil  
22    shall maintain the national measurement standards for the legal units and  
23    provide calibrations at appropriate levels of accuracy for the calibration  
24    laboratories, National Regulators and Board-authorized public or private  
25    entities to disseminate the SI units. The national measurement standards  
26    shall in all cases be those assumed to be the most accurate measurement  
27    standards of the country.

28               Private and public calibration laboratories including the DOST  
29    Regional Offices shall, in turn provide lower-accuracy calibrations and  
30    measurements to industries and communities using working measurement

1 standards that have been calibrated by the NMIPhil. Similarly, National  
2 Regulators, Local Government Units and entities authorized by the Board,  
3 on the premise that their working measurement standards are of the same  
4 accuracy level as those of the calibration laboratories, shall provide legal  
5 metrological controls of measuring instruments using working measurement  
6 standards calibrated by the NMIPhil.

7       Section 16. **Metrological Traceability.** – Measurements in both the  
8 regulated and non-regulated areas shall be traceable to the SI through the  
9 national measurement standards maintained by the country's national  
10 metrology institute to ensure international compatibility and acceptance of  
11 measurement results.

12       For traceability not provided through the NMIPhil, the State shall  
13 recognize measurement standards of other national metrology institutes  
14 provided they are internationally accepted by the global metrology  
15 community.

16       Section 17. **Legal Metrological Controls.** – Measuring instruments  
17 used in trade, health, safety, law enforcement and environment protection  
18 shall be evaluated based on the relevant OIML Recommendations and/or  
19 ASEAN Guidelines by the National Regulators, Local Government Units and  
20 other Board-authorized entities.

21       Compliance to quantity and labelling requirements of prepackaged  
22 products shall be checked by the National Regulators and Board-authorized  
23 public and private entities in accordance with the ASEAN Common  
24 Requirements of Prepackaged Products and/or OIML Recommendations.

25       Section 18. **Right of Access.** – The National Regulators, Local  
26 Government Units and Board-authorized public or private entities, upon  
27 presentation of their credentials, shall have the right of access to every  
28 establishment or commercial premise, where regulated measuring  
29 instruments are, or may be installed, kept or used.

1           In the same manner, they shall also have the right of access to every  
2 premise or facility where prepackaged products are manufactured, or may  
3 be filled, packed, labeled, kept or offered for sale.

4           Any officer or agent of the establishments, commercial premises or  
5 other facilities who shall refuse the inspection shall be liable to the penalties  
6 imposed under Section 25 of this Act.

7           Section 19. **Certification System.** – The State shall establish a  
8 certification system to ensure that legal metrological controls are carried out  
9 only by competent personnel.

10          Section 20. **Accreditation System.** – The State shall maintain an  
11 accreditation system to ensure the technical competence of calibration and  
12 testing laboratories in the performance of their services under the terms of  
13 ISO/IEC 17025 “General Requirements for the Competence of Testing and  
14 Calibration Laboratories.”

15          The Philippine Accreditation Bureau (PAB), as the national  
16 accreditation body of the Philippines, shall be responsible to accredit  
17 inspection, testing and certifying bodies, and other bodies offering  
18 conformity assessment services.

19          Section 21. **Prohibited Acts.** – The following shall constitute  
20 prohibited acts of any person or juridical person and are hereby declared  
21 unlawful:

- 22           a) to sell, offer, or expose for sale goods or products with a quantity  
23           less than the quantity represented;
- 24           b) to represent the quantity in any manner or intending to mislead or  
25           in any way deceive another person;
- 26           c) failure to register regulated measuring instruments;
- 27           d) use of unregistered regulated measuring instruments;
- 28           e) hinder or obstruct any National Regulators, Local Government  
29           Units and Board-authorized entities in the performance of their  
30           duties;

- 1                   f) impersonate a National Regulator, Local Government Units and  
2                   Board-authorized public and private entity;  
3                   g) affix fake or undue conformity marking or verification marks;  
4                   h) use of units other than the legal units of measurement in trade,  
5                   commercial transactions, documentation and advertisements for  
6                   products and services, publications, or training  
7                   i) use of regulated measuring instruments which have not been  
8                   submitted to legal metrological control;  
9                   j) use of regulated measuring instruments which have failed the legal  
10                  metrological control and are giving false/wrong measurements;  
11                  k) affix false conformity markings or affix conformity markings  
12                  illegally on measuring instruments;  
13                  l) falsification of documents relative to legal metrological control;  
14                  m) remove or tamper any tag, seal, or mark from any weight or  
15                  measure or measuring instrument without being duly authorized  
16                  by the proper authority; and  
17                  n) manipulate software and/or hardware of measuring instruments to  
18                  give false measurements.

19                 Section 22. **National Metrology Training Center.** – A National  
20                 Metrology Training Center shall be established and operated by the NMIPhil  
21                 to undertake training on metrology for the capacity building of calibration  
22                 laboratories, National Regulators, Local Government Units and other Board-  
23                 authorized entities responsible for implementing legal metrological controls  
24                 in the country.

25                 Section 23. **Public Information/Advocacy.** – The NMIPhil, in  
26                 collaboration with other concerned government agencies and stakeholders,  
27                 shall engage in information campaigns and advocacy programs to increase  
28                 the public's awareness on metrology and instill greater appreciation of  
29                 metrology by the public.

1           Section 24. **Education.** – The NMIPhil, Department of Education,  
2 Commission on Higher Education, and other concerned government  
3 agencies shall formulate the design and details of a curriculum on metrology  
4 and its inclusion in all levels of the Philippines' education system.

5           Section 25. **Penalties.** – Any person who violates any provision of this  
6 Act shall be penalized by imprisonment of not less than six (6) months but  
7 not more than five (5) years or fine of not less than fifty thousand pesos  
8 (Php 50,000.00) but not more than five hundred thousand (Php 500,000.00)  
9 or both upon the discretion of the court: Provided, however, that if the  
10 violator is a corporation, firm, partnership or association, the penalty shall  
11 be imposed upon the president or the manager or any officer thereof who  
12 knows or ought to have known the commission of the offense.

13          Section 26. **Transitory Provisions.** - The transfer of functions, assets,  
14 funds, equipment, properties, transactions, and personnel of the affected  
15 agency, and the formulation of the internal organic structure, staffing  
16 pattern, operating system, and revised budget of NMIPhil, shall be  
17 completed within six (6) months from the effectivity of this Act, during such  
18 time, the existing personnel shall continue to assume their posts in holdover  
19 capacities until new appointments are issued.

20          After the transformation of National Metrology Division as specified in  
21 Section 6 of this Act, the DOST, in coordination with the DBM, shall  
22 determine and create new positions.

23          Section 27. **Appropriations.** – The amount necessary to carry out the  
24 provisions of this Act shall be included in the General Appropriations Act for  
25 the year following its enactment and every year thereafter.

26          In addition to the GAA, eighty percent (80%) of the fees and charges  
27 collected by the NMIPhil, NMB Secretariat and the DOST Regional Offices  
28 from metrology-related works including calibration and measurement  
29 services, technical trainings, and proficiency testing services shall be  
30 retained and correspondingly used by the NMIPhil and DOST Regional

1 Offices in the upkeep and modernization of measurement standards and  
2 facilities, purchase of measurement standards and equipment, promotion of  
3 metrology culture, awareness raising programs and advocacy campaigns,  
4 among others. The remaining amount shall be remitted to the National  
5 Treasury.

6         Section 28. **Implementing Rules And Regulations.** – The DOST, in  
7 coordination with other concerned government departments, agencies and  
8 representatives mentioned in Section 9 hereof shall within one hundred  
9 eighty (180) days from the effectivity of this Act, issue the necessary  
10 implementing rules and regulations of this Act.

11         Section 29. **Congressional Oversight Committee on National**  
12 **Measurement System.** – The Congressional Oversight Committee on  
13 National Measurement System (COCNMS) is hereby created and shall be  
14 chaired by the Chairperson of the Senate Committee on Science and  
15 Technology and co-chaired by the Chairperson of the Committee of Science  
16 and Technology of the House of Representatives, with (5) members from the  
17 Senate and five (5) members from the House of Representatives to be  
18 respectively designated by the President of the Senate and the Speaker of  
19 the House of Representatives.

20         The Committee shall, in aid of legislation, perform the following  
21 functions, among others:

- 22             a.) To set the guidelines and overall framework to monitor and ensure  
23                 the proper implementation of this Act;
- 24             b.) To ensure transparency and require the submission of reports from  
25                 government agencies concerned on the conduct of programs,  
26                 projects and policies relating to the Implementation of this Act;
- 27             c.) To submit periodic reports to the President of the Philippines and  
28                 Congress on the implementation of the provisions of this Act;
- 29             d.) To determine inherent weaknesses in the law and recommend  
30                 remedial legislation or executive measures; and

1           e.) To perform other duties, functions and responsibilities as may be  
2           necessary to effectively attain the objectives of this Act.

3           Section 30. **Separability Clause.** – If for any reason, any provision of  
4           this Act is declared unconstitutional, the other sections or provisions hereof  
5           which are not affected shall continue to be in full force and effect.

6           Section 31. **Repealing Clause.** – Republic Act No. 9236 and all laws,  
7           decrees, orders, rules and regulations or portions thereof inconsistent with  
8           this Act are hereby repealed or modified accordingly.

9           Section 32. **Effectivity.** – This Act shall take effect fifteen (15) days  
10          after its complete publication in the Official Gazette or in at least two (2)  
11          newspapers of general circulation.

*Approved,*