

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

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RECEIVED BY

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**COMMITTEE REPORT No. 32**

Submitted by the Committees on Trade, Commerce and Entrepreneurship; and Local Government on DEC 17 2019.

Re: Senate Bill No. 1241 prepared by the Committees

Recommending its approval in substitution of Senate Bill No. 761.

Sponsor: Senator Aquilino "Koko" Pimentel III

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**MR. PRESIDENT:**

The Committees on Trade, Commerce and Entrepreneurship; and Local Government, to which was referred **Senate Bill No. 761**, introduced by Senator Recto, *entitled*:

**"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"**

have considered the same and have the honor to report it back to the Senate with the recommendation that the attached **Senate Bill No. 1241** prepared by the Committees, entitled:

**"AN ACT**

**INSTITUTIONALIZING THE ESTABLISHMENT OF TIMBANGAN NG BAYAN  
CENTERS IN PUBLIC AND PRIVATE MARKETS, AMENDING FOR THE  
PURPOSE CHAPTER II, TITLE III OF REPUBLIC ACT NO. 7394 OTHERWISE  
KNOWN AS THE "CONSUMER ACT OF THE PHILIPPINES""**

be approved in substitution of Senate Bill No. 761 with Senators Recto and Pimentel III, as authors thereof.

Respectfully submitted:

*Chairpersons*

  
**SEN. FRANCIS "Tol" N. TOLENTINO**  
*Committee on Local Government*

  
**SEN. AQUILINO "KOKO" PIMENTEL III**  
*Committee on Trade, Commerce and  
Entrepreneurship*  
*Member, Committee on Local Government*

*Vice-Chairpersons*

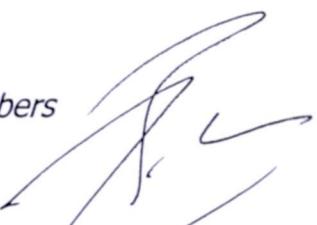
  
**SEN. IMEE R. MARCOS**  
*Committee on Local Government*

  
**SEN. WIN GATCHALIAN**  
*Committee on Trade, Commerce and  
Entrepreneurship*  
*Member, Committee on Local Government*

  
**SEN. GRACE POE**  
*Committee on Trade, Commerce and  
Entrepreneurship*

*Members*

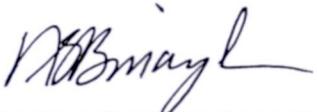
  
**SEN. RONALD "Bato" DELA ROSA**  
*Committee on Local Government*

  
**SEN. RICHARD J. GORDON**  
*Committee on Trade, Commerce and  
Entrepreneurship*

  
**SEN. CHRISTOPHER BONG GO**  
*Committee on Local Government*

  
**SEN. CYNTHIA A. VILLAR**  
*Committee on Trade, Commerce and  
Entrepreneurship*  
*Committee on Local Government*

  
**SEN. RAMON BONG REVILLA Jr.**  
Committee on Local Government

  
**SEN. MARIA LOURDES NANCY S.  
BINAY**

Committee on Trade, Commerce and  
Entrepreneurship  
Committee on Local Government

  
**SEN. PANFILO M. LACSON**  
Committee on Local Government

  
**SEN. SONNY ANGARA**  
Committee on Trade, Commerce and  
Entrepreneurship

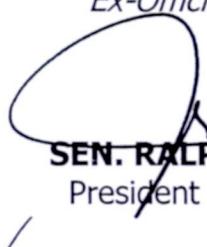
  
**SEN. JOEL VILLANUEVA**  
Committee on Local Government

  
**SEN. FRANCIS "KIKO" PANGILINAN**  
Committee on Trade, Commerce and  
Entrepreneurship  
Committee on Local Government

  
**SEN. RISA HONTIVEROS**  
Committee on Local Government

  
**SEN. LEILA M. DE LIMA**  
Committee on Trade, Commerce and  
Entrepreneurship

*Ex-Officio Members:*

  
**SEN. RALPH G. RECTO**  
President Pro-Tempore

  
**SEN. JUAN MIGUEL "MIGZ" F.  
ZUBIRI**  
Majority Floor Leader

  
**SEN. FRANKLIN M. DRILON**  
Minority Floor Leader

**HON. VICENTE SOTTO III**  
Senate President  
Senate of the Philippines  
Pasay City



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SENATE

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S. No. 1241

(In Substitution of SB No. 761)

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Prepared by the Committee on Trade, Commerce and Entrepreneurship joint with the Committee on Local Government, with Senators Recto and Pimentel III, as authors thereof.

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**AN ACT  
INSTITUTIONALIZING THE ESTABLISHMENT OF TIMBANGAN NG BAYAN  
CENTERS IN PUBLIC AND PRIVATE MARKETS, AMENDING FOR THE  
PURPOSE CHAPTER II, TITLE III OF REPUBLIC ACT NO. 7394 OTHERWISE  
KNOWN AS THE "CONSUMER ACT OF THE PHILIPPINES"**

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

1       **Section 1.** Chapter II, Title III of Republic Act No. 7394, otherwise known as  
2 the "Consumer Act of the Philippines" is hereby amended to read as follows:

3                     "CHAPTER II

4             "Art. 61.   x x x

5             "Art. 62.   x x x

6                     **"ARTICLE 62-A. ESTABLISHMENT OF TIMBANGAN NG BAYAN  
7                     CENTERS. – ALL PROVINCIAL, CITY AND MUNICIPAL GOVERNMENTS,  
8                     THROUGH THEIR PROVINCIAL, CITY AND MUNICIPAL TREASURERS,  
9                     SHALL ESTABLISH ACCESSIBLE TIMBANGAN NG BAYAN CENTERS IN  
10                    ALL PUBLIC AND PRIVATE MARKETS, INCLUDING MALLS,  
11                    SUPERMARKETS, WET MARKETS, DRY MARKETS, AND WHEN  
12                    PRACTICABLE, IN FLEA MARKETS OR TIANGGES, SPECIALTY STORES,  
13                    AND GROCERY STORES, WITHIN THEIR RESPECTIVE LOCALITIES.**

1           'THESE CENTERS MUST HAVE THE NECESSARY WEIGHING AND  
2 MEASURING INSTRUMENTS WHICH SHALL BE AVAILABLE TO ALL  
3 PERSONS WHO NEED TO CONFIRM THE ACCURACY OF THE WEIGHT  
4 QUANTITY OR MEASUREMENTS OF PRODUCTS PURCHASED OR  
5 ABOUT TO BE PURCHASED.

6           'THE MARKET OR MALL SUPERVISOR SHALL BE IN CHARGE OF  
7 THE SAFEKEEPING AND MAINTENANCE OF THE WEIGHING AND  
8 MEASURING INSTRUMENTS AND SHALL BE RESPONSIBLE FOR  
9 MAINTAINING A RECORD OF EVERY PRODUCT FOUND TO BE  
10 LACKING IN QUANTITY OR IS SUBSTANDARD IN DIMENSION, AS  
11 WELL AS THE ESTABLISHMENT WHERE THE SAME WAS BOUGHT  
12 INCLUDING THE NAME/S OF THE PROPRIETOR/S OR MANAGER/S  
13 THEREOF.

14          'A CERTIFICATION DULY ISSUED BY THE MARKET OR MALL  
15 SUPERVISOR OR HIS/HER AUTHORIZED REPRESENTATIVE  
16 REFLECTING THE CONTENTS OF SUCH RECORD SHALL BE *PRIMA*  
17 *FACIE* EVIDENCE OF A VIOLATION OF ARTICLE 64 OF THIS ACT.

18          'THE PROHIBITED ACTS PROVIDED UNDER SECTION 64 OF  
19 THIS ACT SHALL LIKEWISE APPLY TO *TIMBANGAN NG BAYAN*  
20 INSTRUMENTS.

21          'ART. 62-B. COVERAGE. – THE MARKET MENTIONED IN ART.  
22 62-A, WHICH REFERS TO A PUBLIC PLACE, BUILDING, OR  
23 STRUCTURE WHERE GOODS, MERCHANDISE, FOODSTUFF,  
24 COMMODITIES OR ARTICLES OF COMMERCE ARE DISPLAYED AND  
25 OFFERED FOR SALE TO THE GENERAL PUBLIC, SHALL INCLUDE THE  
26 FOLLOWING:

- 27         a.) **PUBLIC MARKET** – A MARKET OWNED, OPERATED AND/OR  
28 MANAGED BY A PROVINCE, CITY OR MUNICIPALITY  
29 DESIGNATED AS SUCH BY THE SANGGUNIAN OF THAT  
30 PROVINCE, CITY OR MUNICIPALITY DEDICATED TO THE  
31 SERVICE OF THE GENERAL PUBLIC;

- 1           b.) ***PRIVATE MARKET*** – A MARKET OWNED, OPERATED AND/OR  
2           MANAGED BY PRIVATE INDIVIDUALS OR ENTITIES,  
3           COOPERATIVES, INSTITUTIONS OR CORPORATIONS;  
4           c.) ***GROCERY STORE*** – A RETAIL SHOP THAT PRIMARILY SELLS  
5           FOOD AND HOUSEHOLD ITEMS IN A SPECIFIC COMMUNITY;  
6           d.) ***SUPERMARKET*** – A MARKET DISTINCT FROM A WET OR DRY  
7           MARKET AND LARGER THAN A GROCERY IN WHICH SHOPPERS  
8           SERVE THEMSELVES BY USING BASKETS OR PUSHCARTS IN  
9           SELECTING COMMODITIES FROM SHELVES OR COLD DISPLAY  
10          STORAGES AND PAYING FOR THEIR PURCHASES AT THE EXIT;  
11          e.) ***WET MARKET*** – A MARKET WHERE MOST OF THE COMMODITIES  
12          FOR SALE ARE READILY PERISHABLE GOODS;  
13          f.) ***DRY MARKET*** – A MARKET WHERE MOST OF THE MERCHANDISE  
14          DISPLAYED FOR SALE ARE DRY OR NON-PERISHABLE GOODS;  
15          g.) ***FLEA MARKET OR TIANGGE*** – A TEMPORARY MARKET WHERE  
16          GOODS, MERCHANDISE, FOOD PRODUCTS ARE SOLD;  
17          h.) ***SPECIALTY STORE*** – A RETAIL OUTLET THAT FOCUSES ON  
18          SELLING A PARTICULAR RANGE OF PRODUCTS AND  
19          ASSOCIATED ITEMS;  
20          i.) ***MALL*** – A LARGE BUILDING OR SERIES OF CONNECTED  
21          BUILDINGS CONTAINING A VARIETY OF RETAIL STORES;
- 22          "ART. 62-C. ASSISTANCE TO PROVINCIAL, CITY AND  
23          MUNICIPAL GOVERNMENTS. – THE DEPARTMENT OF TRADE AND  
24          INDUSTRY (DTI) SHALL PROVIDE ASSISTANCE TO PROVINCES,  
25          CITIES AND MUNICIPALITIES IN THE ESTABLISHMENT OF  
26          ***TIMBANGAN NG BAYAN*** CENTERS NATIONWIDE UNDER ITS  
27          CONSUMER PROTECTION AND OTHER RELEVANT PROGRAMS AND  
28          PROJECTS: ***PROVIDED***, THAT PRIORITY SHALL BE ACCORDED TO  
29          PROVINCES, CITIES AND MUNICIPALITIES BELONGING TO FOURTH,  
30          FIFTH AND SIXTH INCOME CLASSIFICATIONS.

1 "Art. 63.

x x x

2 "Art. 64. Fraudulent Practices Relative to Weights and Measures. – The  
3 following acts relating to weights and measures are prohibited:

4 "x x x.

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

8 "x x x

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

17 b) Any person who shall violate the provisions of paragraph (g) of  
18 Article 64 for the first time shall be subject to a fine of not less than [Five  
19 hundred pesos (P500.00)] **FIFTY THOUSAND PESOS (P50,000.00) BUT**  
20 **NOT MORE THAN THREE HUNDRED THOUSAND PESOS**  
21 (**P300,000.00**) or by imprisonment of not less than one (1) [~~month~~] **YEAR**  
22 but not more than five (5) years or both [~~7~~] upon the discretion of the court.

23 c) The owner [-], possessor or user of instruments of weights and  
24 measures enumerated in paragraphs (h) to (k) of Article 64 **OF THIS ACT**  
25 shall, upon conviction, be subject to a fine of not less than [Three hundred  
26 pesos (P300.00)] **FIFTY THOUSAND PESOS (P50,000.00) BUT NOT**  
27 **MORE THAN THREE HUNDRED THOUSAND PESOS (P300,000.00)** or  
28 **BY** imprisonment of not [~~exceeding one~~] **LESS THAN** (1) year **BUT NOT**  
29 **MORE THAN FIVE (5) YEARS**[~~7~~] or both[~~7~~] upon the discretion of the court:  
30 **PROVIDED, THAT TWO (2) SUCCESSIVE VIOLATIONS OF THIS ACT**  
31 **SHALL AUTOMATICALLY RESULT IN THE CANCELLATION OF THE**  
32 **BUSINESS PERMIT OF THE ERRING INDIVIDUAL OR BUSINESS**

1                   **ESTABLISHMENT."**

2

3                   **Sec. 2. Implementing Rules and Regulations** – Within sixty (60) days from  
4 the approval of this Act, the Department of the Interior and Local Government and  
5 the DTI shall, in coordination with the Union of Local Authorities of the Philippines,  
6 the League of Provinces of the Philippines, the League of Cities of the Philippines, the  
7 League of Municipalities of the Philippines, and other relevant government agencies  
8 and stakeholders, promulgate the rules and regulations to effectively implement the  
9 provisions of this Act.

10                  **Sec. 3. Separability Clause.** – If any provision, section or part of this Act shall  
11 be declared unconstitutional or invalid, such judgment shall not affect, invalidate or  
12 impair any other provisions, sections or parts hereof.

13                  **Sec. 4. Repealing Clause.** – All laws, decrees, orders, rules and regulations  
14 which are inconsistent with the provisions of this Act are hereby repealed or modified  
15 accordingly.

16                  **Sec. 5. Effectivity.** – This Act shall take effect fifteen (15) days following its  
17 publication in at least two (2) newspapers of general circulation or in the *Official  
18 Gazette*.

19                  *Approved,*