



HOUSE OF REPRESENTATIVES

H. No. 7857

BY REPRESENTATIVES MACAPAGAL-ARROYO, SUANSING (E.), CUEVA, BIRON, ROMUALDO, VERGARA, ZUBIRI, GO (M.), TAN (A.), CASTELO, MONTORO, ROMUALDEZ, ONG (H.), MENDOZA, ARCILLAS, SILVERIO, GOMEZ, RODRIGUEZ (M.), TREÑAS, ALVAREZ (F.), TAMBUNTING, RELAMPAGOS, BELMONTE (J.C.), LIMKAICHONG, ACOSTA-ALBA, SAVELLANO, LOPEZ (C.), UY (J.), GARCIA (J.E.), ABAYA, CANAMA, EVARDONE, JAVIER, CAGAS, JALOSJOS, RODRIGUEZ (I.), DURANO, SAGARBARRIA, LAOGAN, DUAVIT, DIMAPORO (A.), MARCOLETA, TUPAS, BELMONTE (R.), CHAVEZ, EUSEBIO, NOGRALES (K.A.), ANTONINO, GO (A.C.), SAMBAR, ALVAREZ (P.), FARIÑAS, BONDOC, ANDAYA, HOFER, CRISOLOGO, ROMERO, GONZALES (A.P.), MATUGAS, GARIN (R.), SALO, BELARO, HERRERA-DY, ROA-PUNO, PRIMICIAS-AGABAS, SUAREZ, ATIENZA, CAMPOS, ABAYON, BERTIZ, ABUEG, DALIPE, BELMONTE (F.), NAVA, NIETO AND ROBES, PER COMMITTEE REPORT NO. 787

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A *TIMBANGAN NG BAYAN* CENTER IN ALL MARKETS NATIONWIDE, AMENDING FOR THE PURPOSE CHAPTER II 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. A new article to be denominated as Article 62-A
2 is hereby inserted after Article 62, Chapter II of Republic Act

1 No. 7394, otherwise known as the "Consumer Act of the
2 Philippines", to read as follows:

3 "ART. 62-A. *ESTABLISHMENT OF TIMBANGAN NG*
4 *BAYAN CENTERS.* - ALL LOCAL GOVERNMENT UNITS,
5 THROUGH THEIR PROVINCIAL, CITY, OR MUNICIPAL
6 TREASURERS, SHALL ESTABLISH A *TIMBANGAN NG*
7 *BAYAN CENTER* IN ALL MARKETS NATIONWIDE, PUBLIC
8 OR PRIVATE, INCLUDING FLEA MARKETS OR *TIANGGES*,
9 WHERE INSTRUMENTS FOR DETERMINING WEIGHTS
10 AND MEASURES SHALL BE OPEN FOR AND ACCESSIBLE
11 TO ANYONE WHO NEEDS TO VERIFY THE ACCURACY
12 OF THE QUANTITY AND MEASUREMENT OF THE
13 PRODUCTS THEY PURCHASE.

14 "THE SAFEKEEPING AND MAINTENANCE OF SAID
15 INSTRUMENTS SHALL BE UNDER THE CONTROL
16 AND SUPERVISION OF THE MARKET SUPERVISOR WHO
17 SHALL LIKEWISE BE IN CHARGE OF KEEPING A
18 RECORD OF EVERY PRODUCT FOUND TO BE WANTING
19 IN QUANTITY OR SUBSTANDARD IN DIMENSION, AS WELL
20 AS THE ESTABLISHMENT WHERE THE SAME WAS
21 BOUGHT, INCLUDING THE NAME OF THE PROPRIETOR
22 OR MANAGER THEREOF. A CERTIFICATION DULY ISSUED
23 BY THE MARKET SUPERVISOR OR AN AUTHORIZED
24 REPRESENTATIVE REFLECTING THE CONTENTS OF
25 SUCH RECORD SHALL BE *PRIMA FACIE* EVIDENCE OF A
26 VIOLATION OF ARTICLE 64 OF THIS ACT.

27 "THE PROHIBITED ACTS RELATIVE TO WEIGHTS AND
28 MEASURES PROVIDED UNDER ARTICLE 64 SHALL
29 LIKEWISE APPLY TO *TIMBANGAN NG BAYAN*
30 INSTRUMENTS."

1 SEC. 2. Article 64, Chapter II of Republic Act No. 7394,
2 otherwise known as the "Consumer Act of the Philippines",
3 is hereby amended to read as follows:

4 "ART. 64. *Fraudulent Practices Relative to Weights*
5 *and Measures.* – The following acts relating to weights
6 and measures are prohibited:

7 "x x x

8 "(h) for any person to fraudulently alter, TAMPER,
9 VANDALIZE OR DESTROY any scale, balance,
10 *TIMBANGAN NG BAYAN*, weight or measure after it is
11 officially sealed;"

12 "x x x."

13 SEC. 3. Article 65 of Republic Act No. 7394, otherwise
14 known as the "Consumer Act of the Philippines", is hereby amended
15 to read as follows:

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

1 “b) Any person who shall violate the provisions
2 of paragraph (g) of Article 64 OF THIS ACT [for the first
3 time] shall, UPON CONVICTION, be subject to a fine
4 of not less than [Five hundred pesos (P500.00)] FIFTY
5 THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN
6 THREE HUNDRED THOUSAND PESOS (P300,000.00)
7 or by imprisonment of not less than one (1) [month]
8 YEAR but not more than five (5) years or both[,] upon
9 the discretion of the court.

10 “c) The owner,[-]possessor or user of instrument
11 of weights and measure enumerated in paragraphs (h)
12 to (k) of Article 64 OF THIS ACT shall, upon conviction,
13 be subject to a fine of not less than [Three hundred
14 pesos (P300.00)] FIFTY THOUSAND PESOS (P50,000.00)
15 BUT NOT MORE THAN THREE HUNDRED THOUSAND
16 PESOS (P300,000.00) or BY imprisonment OF not
17 [exceeding] LESS THAN one (1) year BUT NOT MORE
18 THAN FIVE (5) YEARS[,] or both[,] upon the discretion
19 of the court.

20 “*Provided, further,* That two (2) successive
21 violations of this Act shall automatically result in the
22 cancellation of the business permit of the violator,
23 whether natural or juridical.”

24 SEC. 4. *Implementing Rules and Regulations.* – The
25 Department of Trade and Industry (DTI) and the Department

1 of the Interior and Local Government (DILG), in consultation
2 with the Union of Local Authorities of the Philippines (ULAP),
3 League of Provinces of the Philippines (LPP), League of Cities
4 of the Philippines (LCP), League of Municipalities of the
5 Philippines (LMP), and appropriate stakeholders shall, within
6 ninety (90) days from the effectivity of this Act, promulgate
7 the rules and regulations necessary to effectively implement
8 the provisions of this Act.

9 SEC. 5. *Appropriations.* – The amount necessary to carry
10 out the provisions of Section 1 of this Act shall be charged
11 against the internal revenue allotment and other funds of the local
12 government unit concerned.

13 SEC. 6. *Separability Clause.* – If for any reason, any article
14 or provision of this Act, or any portion thereof, or the application
15 of such article, provision, or portion thereof to any person, group,
16 or circumstance is declared invalid or unconstitutional, the
17 remainder of this Act shall not be affected by such declaration.

18 SEC. 7. *Repealing Clause.* – All laws, executive orders,
19 rules and regulations or parts thereof which are inconsistent
20 with this Act are hereby repealed or amended accordingly.

21 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15)
22 days after its publication in the *Official Gazette* or in any
23 newspaper of general circulation.

Approved,

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