

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 2859



Introduced by REP. BENJAMIN DC. ABALOS, JR.

EXPLANATORY NOTE

The continuing rise in the prices of petroleum products have become unmanageable, which contributed to the soaring prices of basic commodities.

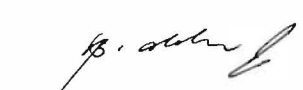
Constant rise in the price of fuels and liquefied petroleum gas (LPG) have greatly affected the unstable coffers of every Filipino family. According to the National Statistics Office (NSO), consumer prices surged to 6.8 percent in August and were likely to follow an upward trend for the rest of the year brought about by higher oil prices and weather disturbances that affected food production and distribution.

While our nation is faced with a grim economic situation, dealers of fuel and LPG still managed to engage into unscrupulous trade of deceiving their customers as to the quantity of fuel or weight of LPG being purchased. In Quezon City, a recent inspection conducted by the Quezon City Treasurers Office revealed that 44 out of 119 gasoline stations were fleecing on customers through tampered pumps. The tests showed that the pumps were uncalibrated or short by several milliliters of the gas sold per transaction.

In accordance with the State principle to pursue a trade policy that will serve for the general welfare, the government must enforce stringent measures to curb illegal trade practices of petroleum products dealers to the detriment of the consuming public and our economy.

This proposed measure seeks to arrest the perpetuation of these illegal trade practices by amending Batas Pambansa Bilang 33 to provide stiffer penalties for illegal trading of petroleum products. In a situation of a national fiscal crisis, deceit against our people on vital products such as petroleum constitutes a grave offense---which is unconscionable and condemnable.

In the interest of the Filipino people suffering from the effects of an economic crisis, immediate consideration and approval of this bill is earnestly sought.


BENJAMIN DC. ABALOS, JR.

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AN ACT
PROVIDING FOR STIFFER PENALTIES FOR ILLEGAL TRADING OF
PETROLEUM PRODUCTS AMENDING FOR THE PURPOSE BATAS
PAMBANSA BLG. 33 AND FOR OTHER PURPOSES

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

Sec. 1. Section 4 of Batas Pambansa Blg. 33 is hereby amended to be read as follows:

Sec. 4. Penalties. Any person who commits any act herein prohibited shall, upon conviction, be punished with a fine of not less than Two Thousand Pesos (P2,000) but not more than Ten Thousand Pesos (P10,000), or imprisonment of at least two (2) months but not more than one (1) year, or both, in the discretion of the court. Furthermore, the petroleum and/or petroleum products, subject-matter of the illegal trading, hoarding, overpricing and misuse, shall be forfeited in favor of the Government: Provided, that if the petroleum and/or petroleum products have already been delivered and paid, the payment made shall be the subject of the forfeiture, and if the seller who has not yet delivered has been fully paid, the price received shall be returned to the buyer, and in addition, if the offender is a trader, the cancellation of his license.

IN VIOLATION OF SECTION 2. (A), (B) AND (C), THE PENALTY OF *PRISION CORRECCIONAL* (SIX MONTHS AND ONE DAY TO SIX YEARS) AND/OR A FINE OF NOT LESS THAN FIFTY THOUSAND NOR MORE THAN TWO HUNDRED THOUSAND PESOS SHALL BE IMPOSED, UPON DISCRETION OF THE COURT.

Trials of cases arising under this Act shall be terminated within thirty (30) days after arraignment.

When the offender is a corporation, partnership, or other juridical person, the president, general manager, managing partner, or such other officer charged with the management of the business affairs thereof shall be criminally liable.

If the offender is a government official or employees, he shall perpetually be disqualified from office.

XXX

Sec. 2. This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation. The publication shall not be later than seven (7) days after approval hereof.

Approved,