

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS

First Regular Session

House Bill No. **3259**

Introduced by REP. JACINTO V. PARAS

EXPLANATORY NOTE

Due to the recent and frequent adjustments in the price of petroleum products, there has been a clamor for vigilance in the protection of the consumer's welfare against unwarranted, unjustified, uncontrolled and arbitrary price increases in the price of gasoline, diesel, liquefied petroleum gas and other petroleum products.

While liberalization of the downstream oil industry has been the policy adopted by our government, the interest of the general public must still be considered in the face of escalating global oil prices. There must be a mechanism by which any person or group affected by any price adjustment may look into the reasonableness and accuracy of such price adjustment. Thus, the oversight function of the Energy Regulatory Commission, as the body tasked to perform this function, must be enhanced and strengthened.

Hence, the urgent passage of this bill is earnestly sought.



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**AN ACT TO PROTECT THE FILIPINO CONSUMER
FROM UNCONTROLLED, UNJUSTIFIED AND ARBITRARY INCREASES IN
THE PRICES OF GASOLINE, DIESEL, LIQUEFIED PETROLEUM GAS AND
OTHER PETROLEUM PRODUCTS BEING IMPOSED BY THE MEMBERS OF
THE DOWNSTREAM OIL INDUSTRY, AMENDING FOR THIS PURPOSE,
SECTION 43 OF R.A. 9136, OTHERWISE KNOWN AS THE ELECTRIC POWER
INDUSTRY REFORM ACT OF 2001**

SECTION 1. Section 43 of Republic Act No. 9136 is hereby amended by inserting a new sub-paragraph "v " to read as follows:

"(v) To further ensure transparency in price-setting and to promote the protection of consumers from acts of collusion, economic conspiracy, unfair trade practice, profiteering, arbitrary price increases and overpricing, the oversight function of the ERC is hereby strengthened. Towards this end, the ERC may, *moto proprio*, or upon petition of any person or group affected by any price adjustment, compel any person or entity in the downstream oil industry to submit all documents and records pertinent to the determination of prices of domestic petroleum and crude oil products for the purpose of determining whether such prohibited acts exist; **Provided**, that, the ERC shall act upon any such request or petition within thirty (30) days from receipt thereof; **Provided, further**, that in any case where the ERC determines that there exists such prohibited acts as collusion, economic conspiracy, unfair trade practice, profiteering, arbitrary price increase and overpricing, or when public interest so requires, it may take such steps as it may consider necessary, including the readjustment of the price levels of petroleum products.

SECTION 2. Repealing Clause. - All laws, presidential decrees, executive orders, issuances, rules and regulations or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,