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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **3259**

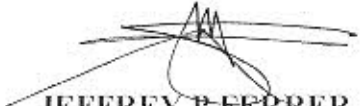
Introduced by **REPRESENTATIVE JEFFREY P. FERRER**

EXPLANATORY NOTE

The sugar industry is a major component of the socioeconomic and political structure of the country it is still considered the primary export commodity of the Philippines. Sugar Farming provides employment in the countryside generates revenue to Local Governments and adds to the foreign currency reserves.

While the uncontrolled entry of smuggled imported sugar pose a threat to the development and survival of the sugar industry which employ thousands of workers and their dependents, it also decreases customs tax collection, destabilizes domestic sugar prices, and endangers the domestic sugar industry as well as the many sugar farmers depending on the viability of sugarcane farming.

This bill therefore seeks to strengthen the government's drive to put a stop to unabated sugar smuggling, this bill grants the Sugar Regulatory Administration the power to make arrests and file charges against sugar smugglers. In addition, this bill requires that all seized sugar be placed under the custody of the Sugar Regulatory Administration for proper disposal as to stop the reselling of seized smuggled sugar in the domestic market.


JEFFREY P. FERRER
4th District of Negros Occidental

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Introduced by HONORABLE JEFFREY P. FERRER

“AN ACT ENHANCING THE POWERS OF THE SUGAR REGULATORY ADMINISTRATION TO BAN THE SMUGGLING OF SUGAR AND ITS DERIVATIVES, AMENDING EXECUTIVE ORDER NO. 18, PROVIDING FUNDS THEREFOR AND ESTABLISHING A POLICY FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES”

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

SECTION 1. *Short Title.* - *This shall be known as the “Anti-Sugar Smuggling Act of 2010”*

SECTION 2. *Declaration of Policy* – *It shall be the policy of the state to completely ban the smuggling of imported sugar and its derivatives due to the damaging effects in the growth and development of the Sugar Industry and the national economy. The sugarcane Farmers, Agricultural farm workers and Sugar Centrals which provide employment and industrialization in the rural areas depend on the viability of the sugar industry over the long term as a foundation of sustainable economic growth, so the utmost protection and unwavering support of the state is required to ensure its long term existence. Smuggling is illegal and constitutes a form of economic sabotage; it undermines the stability of domestic sugar prices which is detrimental to both consumers and producers. Toward this end, it is hereby declared a policy of the State to establish and improve the existing powers of the Sugar Regulatory Administration (SRA) under Executive Order no. 18 and develop a responsive system to ensure that our markets are free from illegally imported (smuggled) sugar and its derivatives including unwarranted competition.*

SECTION 3. *Increasing the powers of the Sugar Regulatory administration amending E.O.18* – *The Sugar Regulatory Administration is hereby tasked to ensure that the supply of domestic sugar and its market is free from illegally imported or smuggled sugar and its derivatives. E.O. no. 18 is amended and the Sugar Regulatory Administration is hereby given by this act the police power and authority to prevent, suppress, confiscate, apprehend the smuggling of sugar and its derivatives through the execution of searches, warrant of seizures, and enforcing arrests.*

SECTION 4. *Creation of the sugar anti-smuggling Task Force Unit-* *The Sugar Regulatory Administration is hereby authorized by law upon the passage of this act to*

form an anti-smuggling unit whose personnel shall come from the Armed Forces of the Philippines, the Philippine National Police and the Bureau of Customs to properly effect its mandate of curbing the illegal entry of imported sugar and its derivatives.

SECTION 5. Custody of Confiscated Smuggled Sugar. - *All confiscated smuggled sugar shall be placed under the custody of the Sugar Regulatory Administration within ten (10) days upon seizure.*

SECTION 6. Disposition of Smuggled Sugar. - *All confiscated smuggled sugar shall be destroyed and immediately dumped into the sea within forty (40) days of seizure; Provided, That the dumping site is cleared with the Department of Environment and Natural Resources and the Bureau of Fisheries and Aquatic Resources to ensure that the dumping does not bring any significant damage to the concerned ecosystem; Provided further, That the actual dumping is done in the presence of representatives from the Department of Environment and Natural Resources, Bureau of Fisheries and Aquatic Resources, Bureau of Customs, sugar industry leaders, and other concerned NGO's parties.*

SECTION 7. Penal Provision. - *Any person convicted of smuggling or abetting the smuggling of sugar shall be imprisoned for a period of not less than fifteen (15) years but not more than thirty (30) years, and shall pay a fine of at least Php 1, 000, 000.*

SECTION 8. Without prejudice clause. - *The power to execute searches, seizures, and arrests granted the Sugar Regulatory Administration by virtue of this act shall be without prejudice to existing laws, decrees, orders, rules and regulations granting the Sugar Regulatory Administration such other necessary regulatory power and functions.*

SECTION 9. Implementing Rules and Regulations (IRR). - *The DA, SRA, DOF, DOJ, in consultation with concerned government agencies, Sugar Farmers, consumers, Sugar Traders and concerned sectors, shall formulate the implementing rules and regulations of this Act within ninety (90) days after its approval. Such rules and regulations shall take effect fifteen (15) days after the publication in a newspaper of general circulation in the Philippines.*

SECTION 10. Separability Clause. - *If any part, section or provision of this Act is held invalid or unconstitutional, other provisions not affected thereby shall remain in full force and effect.*

SECTION 11. Repealing Clause. - *All laws, decrees, orders, rules and regulations or other issuances inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.*

SECTION 12. Effectivity. - *This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.*

Approved,