

SUGAR

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasang Pambansa, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3265

INTRODUCED BY REP. JOSEPH VICTOR G. EJERCITO

EXPLANATORY NOTE

As stated in the Sugar Regulatory Administration (SRA) Charter, the sugar industry is a major component of the socioeconomic and political structure of the country. Sugar provides employment in the countryside, generates revenue to municipal and provincial governments, and adds to the foreign currency reserve.

All of these benefits are endangered by the entry of smuggled sugar into the domestic market. Smuggled sugar decreases customs tax collection, destabilizes domestic sugar prices, and endangers the domestic sugar industry as well as the many sugar planters in the country.

To strengthen the government's drive to put a stop to 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. Furthermore, this bill puts a stop to the reselling of smuggled sugar by requiring the dumping of all seized smuggled sugar into the sea provided that the dumping site is approved by the Department of Environment and Natural Resources and the Bureau of Fisheries and Aquatic Resources to ensure that the ecosystem is not unduly disturbed.

In view of the foregoing, the immediate enactment of this measure is earnestly sought.



JOSEPH VICTOR G. EJERCITO

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AN ACT
STRENGTHENING THE SUGAR REGULATORY
ADMINISTRATION AND FOR OTHER PURPOSES

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

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

SEC. 2. Declaration of Policy - The State recognizes the danger that smuggled sugar poses to the development of our sugar industry, the welfare of our sugar planters, and the stability of our domestic sugar markets. Towards this end, it is hereby declared as a policy of the State to establish and maintain a more responsive system to ensure that our markets are free from illegally imported sugar.

SEC. 3. Broadening the Scope of the Sugar Regulatory Administration. - The Sugar Regulatory Administration is hereby tasked to ensure that the domestic sugar market is free from illegally imported or smuggled sugar.

SEC. 4. Strengthening the Sugar Regulatory Administration. - The Sugar Regulatory Administration is hereby empowered to prevent and suppress the smuggling of sugar through the execution of searches, seizures, and arrests.

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

SEC. 6. Disposition of Smuggled Sugar. - All confiscated smuggled sugar shall be 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 imbalance 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, and other concerned parties.

SEC. 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 Php1,000,000.

SEC. 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.

SEC. 9. 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.

SEC. 10. 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.

SEC. 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,