

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1428

Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

Rich or poor, shoppers need consumer protection. Shoppers themselves must realize that they face a challenge. Dishonest promotions, substandard products and overpriced merchandises are just some of the nightmarish occurrences that could ruin one's shopping spree. Clearly, a reason for the need to enact this law is extant. Consumer protection, however, can only be made through the government exercising its regulatory powers. This legislation that will better protect the consumers.

This measure was previously filed by Senator Manny Villar in the 15th Congress. Passage of this Bill is earnestly sought now in the 16th Congress.



HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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AN ACT
ORDAINING A BILL OF RIGHTS FOR THE FILIPINO CONSUMERS

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

Section 1. Title. -This Act shall be known as the "The Consumer's Bill of Rights."

Section 2. Declaration of Principles. - It is hereby declared the policy of the State "To promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. For the Congress to give the highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequities, and remove cultural inequalities by equitably diffusing wealth and political power for the common good to better protect and enhance the rights of consumers.

Section 3. Consumer's Basic Rights. - The following are the basic rights of the consumers in the Philippines:

1. The Right to basic needs;
2. The Right to safety;
3. The Right to information;
4. The Right to choose;
5. The Right to representation;
6. The Right to redress;
7. The Right to consumer education;
8. The Right to a healthy environment.

Section 4. The Right to Basic Needs. - The right to basic needs shall mean the basic consumer right which prompts the government to ensure the availability to consumers of basic and prime commodities at affordable prices and of good quality.

Section 5. The Right to Safety. - The right to safety shall mean the right of consumers to be protected from the marketing of goods or services that are hazardous to health and life. The undertaking of extensive safety and performance testing of products before being sold, and the placing of labels and proper product information about the product's use and operation, and warnings about precautions to be taken, if any, are enjoined on manufacturers and sellers.

Section 6. The Right to Information. - The right to information requires manufacturers and sellers to provide complete information about a product being sold including, but not limited to, its use, ingredients or chemical contents, precautions, limitations, and manufacturing and expiry dates.

Section 7. The Right to Choose. - The right to choose shall mean the right to choose products with competitive prices with an assurance of satisfactory quality.

Section 8. The Right to Representation. - The right to representation shall mean the right of consumers to express their interests in the making and execution of government policies.

Section 9. The Right to Redress. - The right to redress shall mean the right of consumers to be compensated for misrepresentation, substandard goods, or unsatisfactory services.

Section 10. The Right to Consumer Education. - The right to consumer education shall mean the right of the consumer to acquire the knowledge and skills necessary to become an informed customer.

Section 11. The Right to a Healthy Environment. - The right to a healthy environment shall mean the right to live and work in an environment that is neither threatening nor dangerous and permits a life of dignified well-being.

Section 12. Duties of the Department of Trade and Industry. - The Department of Trade and Industry shall be tasked with the implementation, enforcement and dissemination of information as to this Act accordingly; Provided, that criminal, civil and administrative liabilities shall be imposed upon failure to abide by the provisions of this Act; Provided, that the Department of Trade and Industry and its branch offices in the provinces, cities and municipalities shall have jurisdiction over grievances of consumers over the provisions of this Act; Provided, further, that in the absence of branch offices in the provinces, cities and municipalities, the local government units shall establish such centers whereby grievances of consumers may be brought forth, and which grievances shall be made known to the Department of Trade and Industry for proper action.

Section 13. Implementing Rules and Regulations. - Within thirty (30) days after the effectivity of this Act, the following shall convene for the purpose of formulating implementing rules and regulations for this Act, to convene everyday for the purpose of formulating the said rules until such time that the implementing rules and regulations have been formulated; Provided, that the failure to produce implementing rules and regulation within sixty (60) days from the effectivity of this Act, shall not hinder the implementation of this Act.

1. A representative from the Executive Department;
2. A representative from the Legislative Department;
3. The Secretary of Trade and Industry;
4. A representative from the consumers sector;
5. A representative from the manufacturers sector;
6. A representative from the sellers sector.

The implementing rules and regulations shall focus on the better implementation of the bill of rights for the consumers, and shall create a grievance by which establishments offering products or services or both to consumers, whether in a manufacturing, production, or service concern, shall make available to consumers grievance machineries at the soonest possible time wherein violations of the bill of rights of consumers may be made known.

Section 14. Penalties for the violation of the bill of rights. - Any person who is found to have violated the Consumer's bill of rights shall be punished with imprisonment of not less than six (6) months nor more than two (2) years, or a fine of not less than ten thousand pesos (Php 10,000.00) but not more than fifty thousand pesos (Php 50,000.00) or both such imprisonment and fine, at the discretion of the court.

Section 15. Repealing Clause. - All laws, orders, decrees, rules and regulations, and other parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 16. Effectivity. -, This Act shall take effect fifteen days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,