

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

16th Congress
First Regular Session

House Bill No 3779



Introduced by Honorable Sergio A.F. Apostol

EXPLANATORY NOTE

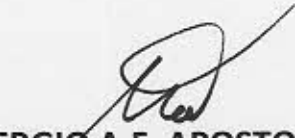
This bill seeks to address the mounting complaints against the exorbitant parking fees being charged by shopping malls, hotels and similar commercial establishments to their customers.

Parking fees in malls, hotels and similar commercial establishments had already been tackled in the news, radio stations and alike. It should actually free since the fact that the customers are going to this establishments, they are already earning from them. It should be part of their service. Worse, when your car is vandalized in their car park they refuse to take responsibility for it when it's their car park, you pay for the privilege to park, they provide security supposedly to protect car owners and yet they refuse to account for their liability.

Malls are charging customers some sort of maintenance fees for the parking lot. But unfortunately this is something that they are entitled to charge simply because of the system in the Philippines. It is totally wrongful that malls and other commercial establishments have practically built whole new businesses anchored entirely on making money out of their car parking facilities that ought to be made available for free to their

customers. Parking fees exacted by these establishments are definitely irreconcilable with the essence of the Consumers Act, which protects consumers against abuses by setting the standards of suitable conduct for business and industry. It is a matter of courtesy that malls or hotels for that matter should not collect parking fees.

In view of the foregoing, approval of this bill is earnestly sought.



SERGIO A.F. APOSTOL
Representative
2nd District, Leyte

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AN ACT PROHIBITING THE IMPOSITION OF OR EXTRACTION OF ANY FEE FOR
THE USE OF PARKING SPACES AND FACILITIES LOCATED WITHIN SHOPPING
MALLS, HOTELS AND SIMILAR COMMERCIAL ESTABLISHMENTS AND
PRESCRIBING PENALTIES THEREFOR

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

SECTION 1. This Act shall prohibit owners of shopping malls, hotels and similar establishments, their agents and/or authorized representatives from imposing, exacting, collecting and/or charging any and all fees for the use of parking spaces located within these establishments, excepts owners of buildings or spaces which are exclusively devoted or utilized to provide parking spaces and services and not in any way connected with any other business.

SECTION 2. No other building permit shall be issued for the construction of business and commercial establishments that include as integral parts thereof, parking spaces and facilities, buildings and other facilities for parking purposes within existing business and commercial establishments unless owners thereof submit sworn statements that parking spaces and facilities shall be made available to the public free of

charge: *Provided*, that permits for the construction of buildings and facilities to be devoted or utilized exclusively for parking purposes shall be issued only upon submission of a sworn statement that said buildings and facilities are to be devoted or used exclusively for parking purposes and are not attached in any way to any shopping mall, hotel and similar commercial establishments.

SECTION 3. Any business establishment which shall collect, impose, exact or charge any fee for the use of parking spaces and facilities in violation of this Act, shall be penalized with a fine not less than One Hundred Thousand Pesos (P100,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00). The members of the Board of Directors or any other corporate officers found guilty of violating any of this Act, shall suffer an imprisonment of not more than five (5) years.

Any government official or employee who shall be found to have violated the provision of this Act by approving or issuing building permits for the construction of parking spaces and facilities, shall be suspended for not less than ten (10) days but not more than sixty (60) days, after due notice and hearing in an appropriate administration proceedings: *Provided*, that this shall not exclude further prosecution from other laws.

SECTION 4. Any provision of this Act which is subsequently declared to be unconstitutional shall not affect the validity of its other provisions.

SECTION 5. Any laws, decrees, orders, rules and regulations or parts thereof, inconsistent with the provision of this Act are hereby repealed or amended accordingly.

SECTION 6. This Act shall take effect upon its approval.

Approved,