

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17th) CONGRESS
First Regular Session

House Bill No. 4897



Introduced by: Representative Jose L. Atienza, Jr.

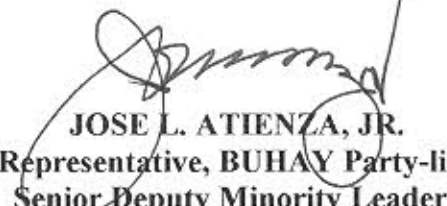
EXPLANATORY NOTE

The past few decades have seen a growing trend that has led to the disappearance of traditional local public markets.

More and more local government units (LGUs) have been entering into joint venture agreements (JVA) with private corporations, with some even selling the public markets outright – which is tantamount to subverting public interests entirely to private control.

An integral part of local governance is the operation of public markets to serve the needs of the communities where they are located. The local public market has always been the first and most convenient place to go to for fresh produce at affordable prices -- where one could haggle for lower prices and even buy in small quantities or “tingi”. To privatize these markets would result in higher costs of basic commodities, higher rental costs for stalls and displacement of legitimate stallholders and vendors who have long been able to ply their wares at the public market.

This bill aims to prohibit the sale of local public markets to private developers and operators and instead encourages LGUs to develop and expand existing public markets and, if needed, establish new ones in strategic areas, taking into account the number of inhabitants to be served.


JOSE L. ATIENZA, JR.
Representative, BUHAY Party-list
Senior Deputy Minority Leader

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4897

House Bill No. _____

Introduced by: Representative Jose L. Atienza, Jr.

AN ACT PROTECTING LOCAL PUBLIC MARKETS

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

Section 1. *Prohibition to Sell Public Markets.* – All local government units are henceforth prohibited from selling its existing public markets to private market operators, private developers, and/or to any other private party, or to enter into any joint venture or any other arrangements with the latter over the operation or development of those markets or for any other purpose, provided that when a law or public order, public safety or public convenience demands that those public markets be devoted for purposes than as such, then new ones should be built or established to replace those that have ceased to operate within a period of two (2) years from such cessation of operation;

Section 2. *Development and Expansion of Existing Public Markets.* - All local government units are hereby mandated to develop and improve existing public markets and to establish new ones in strategic areas taking into account the number of inhabitants to be served by such facilities in the particular communities. Immediately upon the effectivity of this act, all local government units must conduct thorough study and evaluation of their existing public markets vis-à-vis the needs of the residents of the locality, and if warranted, to act accordingly by embarking into development and expansion of existing public markets and the establishment of new ones;

Section 3. *Penalty Clause.* – Public officers and employees committing any violation of this Act shall be punished by imprisonment of three (3) to five (5) years, without prejudice their prosecution under the provisions of other existing laws.

Section 4. *Separability Clause.* – In the event that any of the provision of this Act is declared unconstitutional, the remaining provisions which have not been affected by such declaration shall remain valid and effective;

Section 5. *Repealing Clause.* – All laws, decrees, executive orders, circulars, rules and regulations and other issuances or parts thereof that are inconsistent with the provisions of the Act is deemed repealed, amended or modified.

Section 6. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) newspapers of general circulation.

Approved.