

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 164



Introduced by Rep. Rodante D. Marcoleta and Rep. Caroline L. Tanchay

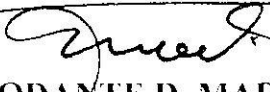
EXPLANATORY NOTE

Since the passage of RA 8479 deregulating the price of petroleum products including liquefied petroleum gas (LPG), the price of the latter has skyrocketed since. Even as the law mandated the Department of Energy (DOE) to monitor the international and domestic prices of crude and petroleum products, the pricing is left to the oil/LPG companies and their dealers and retail outlets.

While the DOE has lately been successful in persuading most companies to implement price adjustments of liquid petroleum products in small increments, the situation is not true for all players in the LPG business. Some players have been noted to implement the full impact of increases in the benchmark monthly contract price (CP) in Saudi Arabia at the beginning of the month, but only smaller increments are implemented during times of downward CP movements.

It is recognized that domestic prices are dependent on the price in the international market and the peso exchange rate. However, certain mechanism may have to be put in place to protect the welfare of the consuming public from abuse by unscrupulous local LPG industry players.

Even as liberalization of the downstream oil industry has been the policy adopted by the government, the urgent passage of this bill is earnestly sought to provide a mechanism to ensure reasonable and timely adjustments of the prices of LPG.


RODANTE D. MARCOLETA


CAROLINE L. TANCHAY

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AN ACT

TO PROTECT THE FILIPINO CONSUMERS FROM ARBITRARY INCREASES IN THE PRICES OF LPG BEING CHARGED BY THE PLAYERS OF THE LPG INDUSTRY, AMENDING FOR THE PURPOSE SECTIONS 19 AND 14 OF R.A. 8479, OTHERWISE KNOWN AS DOWNSTREAM OIL INDUSTRY DEREGULATION LAW OF 1998

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

SECTION 1. Section 19 of Republic Act No. 8479 is hereby amended by adding another paragraph to read as follows:

“Providing further, that effective immediately, the price of LPG has to be guided by an Automatic Pricing Mechanism (APM). Such APM shall be determined by the Energy Regulatory Commission (ERC), after prior notice and hearing, within six (6) months from the affectivity of this bill.

To ensure that only safe and qualified LPG cylinders are put in circulation, the APM shall provide for cylinder repair and maintenance cost.”

SECTION 2. The functions of the Department of Energy-Department of Justice (DOE-DOJ) Task Force shall be transferred to the ERC. Thus, Sec. 14 (d) of the same law is hereby amended to read as follows:

“Any report from any person of an unreasonable rise in the prices of LPG shall be immediately acted upon. For this purpose, the ERC is hereby mandated to determine within thirty (30) days the merits of the

report and initiate the necessary actions warranted under the circumstances; *Provided*, that nothing herein shall prevent the ERC from investigating and/or filing the necessary complaint *moto proprio*.”

SECTION 3. *Implementing Rules And Regulations* – The ERC, in coordination with DOE and other concerned government agencies, shall formulate and issue the necessary implementing rules and regulations within sixty (60) days after the effectivity of this Act.

SECTION 4. *Repealing Clause* – All laws, Presidential Decrees, executive orders, issuances, rules and regulations or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. *Effectivity* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,