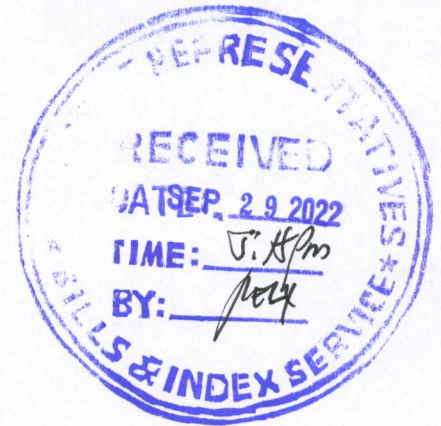


Republic of the Philippines
House of Representatives
Quezon City

19th Congress
First Regular Session

House Bill No. 5292



Introduced by **HONORABLE PETER B. MIGUEL**

AN ACT REQUIRING BUSINESS ESTABLISHMENTS SUCH AS BUT NOT LIMITED TO SHOPPING MALLS, SUPERMARKETS, SCHOOLS, HOSPITALS, HOTELS AND SIMILAR BUSINESS, COMMERCIAL AND PUBLIC ESTABLISHMENTS TO PROVIDE FREE ADEQUATE PARKING AREAS FOR THEIR CLIENTELE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

EXPLANATORY NOTE

It is the policy of the State to promote and protect the interest of consumers. To achieve this, the government must strive to put up adequate mechanisms that will ensure that consumers are protected while at the same time encouraging more trade to the end that a good environment for businesses is set in place. This bill is designed to protect the interest of the consumers as well as established standards of conduct of business and industry. (Article 2 of Republic Act 7304 or otherwise known as the Consumer Act of the Philippines.)

Under this proposed measure, there is thereby prescribed a free parking policy that shopping malls, supermarkets, schools, hospitals, hotels and similar business as well as public establishments shall promote for the interest of the consumers in accordance with the Consumer Law given that the provision of designated areas or facilities are actually a basic amenity that should be so provided lest such private or even public establishments would not have been allowed to build.

The provision of free, adequate and secured parking areas in our shopping malls, supermarkets, schools, hospitals, hotels and similar business as well as public establishments is a public service and a matter of courtesy to consumers who patronize their establishments. This interpretation is not only reasonable and logical but finds support in the actual practice in other countries like the United States of America where parking spaces owned and operated by these establishments are free of charge. Moreover, since the success of such a business primarily depends upon the goodwill of its patrons, the provision of parking areas significantly improves the desirability of the area in as much as the profitability of surrounding businesses because consumers will always prefer to go malls safe and available is ensured. In order to avoid the abuse of the provisions of this Bill for free parking and safeguard the interests of mall owners, this Act include provisions that seek to guarantee to mall owners

that motorists using their parking spaces are really customers of their establishment through receipt of purchases for a set of minimum amount. It also seeks to balance the revenues that may be lost by establishments currently collecting parking fees with the provision of tax benefits.

The parking spaces these establishments should provide to their consumers must comply with the minimum standards set forth law. Meaning, parking minimums," demanded from all building owners or property developers before a "permit" is given for them to start. These requirements are usually enshrined in state building codes and city zoning ordinances, in our case, Presidential Decree 1096 or otherwise known as the National Building Code of the Philippines and the 2004 Revised Implementing Rules and Regulations. Owners of these establishments where consumer go should provide them with parking spaces that is in conformity with the standards set forth by the PD 1096 or National Building Code or local ordinances. Otherwise, they will just park on the streets. Which will eventually result in traffic congestion.

This bill seeks to rationalized the collection of parking fees in the light of an unregulated environment that may have been overlooked the welfare of the costumers and consumers they serve in order that they rake reasonable profit and viable return on their investment.

Through this Act, the State can effectively advocate consumer welfare together without prejudice to the business interests of mall owners. With this purpose in mind, the immediate approval of this bill is strongly requested.



PETER B. MIGUEL

Representative, 2nd District South

Cotabato

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

- Section 1:* *Short Title:* This Act shall be known as “The Free Parking Act of 2022”
- Section 2:* *Declaration of Policy:* It is hereby declared a policy of the State to protect the interest of the consumer, promote its general welfare and establish standards of conduct of business and industry. To this end, the State shall ensure the improved quality of life for all and improve consumer access to and the availability of service-related components like free parking for all patrons of malls and shopping establishments pursuant to this Act.
- Section 3:* *Scope:* This Act shall cover the use of established parking areas in all malls and shopping establishments by their legitimate patrons. Legitimate patrons under this Act are consumers who have made actual purchases or availed of the shopping mall’s products and services.
- Section 4:* *Free Parking:* Legitimate patrons shall be provided free use of well-maintained and secure parking areas in all malls and shopping establishments provided that they reach an aggregate minimum purchase (with receipts) of ₱500 from the establishment and have used the parking space for less than two (2) hours.
- Section 5:* *Tax Benefits:* To balance the cost of providing security and maintenance of designated parking areas for their patrons, owners of malls and shopping establishments shall be provided tax benefits as may be determined in the Implementing Rules and Regulations of this Act.

Section 6: Penalties: Mall and shopping establishments owners who will be found violating the provisions of this Act will be punished .

Section 7: Repealing Clause: Any provision of law, orders, rules and regulations or parts thereof, contrary to, or inconsistent with, the provisions of this Act are hereby repealed or modified accordingly.

Section 8: Effectivity Clause: This Act shall take effect after its complete publication in the Official Gazette or in any newspaper of general circulation.

APPROVED.