

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

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **10724**



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo Revilla III

AN ACT PROVIDING FOR THE MAGNA CARTA FOR AMBULANT VENDORS

EXPLANATORY NOTE

Section 3, Article XIII of the 1987 Philippine Constitution provides that the State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. This recognizes that ordinary Filipino workers – both in the formal and informal sectors – are the backbone of the economy. It is through their sheer hard work that our country can achieve genuine economic progress.

Informal workers in the Philippines, particularly ambulant vendors or street vendors, face challenges due to the lack of secure employment contracts, benefits, social protection, and representation. The 2018 Informal Sector Survey reveals that the informal sector employs 15.68 million people in the Philippines, representing 38% of the working population and contributing significantly to the economy.¹

Despite such contributions, ambulant vendors, a vital part of the informal sector, operate outside legal frameworks and face vulnerabilities due to absence of social protection. Additionally, they frequently encounter challenges including the threat of eviction and confiscation of goods, further destabilizing their livelihood. They also struggle with insufficient capital leading to inadequate income. Sufficient government support will alleviate their plight.

Thus, there is an urgent need for a comprehensive legislation to protect their rights and enhance their social security. The proposed Magna Carta for Ambulant Vendors seeks to address these issues by providing a legal framework that ensures their rights, protection, and support mechanisms. This bill aims to recognize their contributions, safeguard their livelihoods, and promote their welfare, thereby fostering a just and inclusive economy.

¹Philippine Institute for Development Studies (2023). Retrieved from: <https://www.pids.gov.ph/details/news/in-the-news/informal-power-opinion-piece-by-george-royeca>



REP. BRYAN B. REVILLA
AGIMAT Party-list



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Representative, 2nd District of Cavite



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SECTION 1. *Short title.* – This Act shall be known as the “Magna Carta for Ambulant Vendors.”

SEC. 2. *Declaration of Policy.* – It is hereby declared policy of the State to:

- (a) Recognize the significant contribution of ambulant vendors to the economy, to protect, promote, and fulfill the rights of every worker including the right to self-organization, just and humane conditions of work, access to social protection programs and services, access to justice, and the right to security of and in the workplaces;
- (b) Promote a just and dynamic social order that shall ensure the prosperity and independence of the nation, and free the people from poverty through policies that provide adequate social services, promote decent and environmentally sound and full employment, a rising standard of living, and an improved quality of life for all; and
- (c) Improve the quality of life of every Filipino as mandated by the Constitution. Towards this end, the State shall protect the vendors from being deprived of their livelihood as well as the rights of consumers and the general public from any negative effect that the vending industry may have on the environment and on societal welfare and well-being.

Sec. 3. *Coverage* – This Act shall cover only those ambulant vendors who are registered pursuant to this Act.

Sec. 4. *Definition of terms* – As used in this Act, the following terms shall mean:

- a) Ambulant Vendor – any individual who sells goods or offers non-professional services by moving from place to place, without a fixed business location, and typically uses portable means like carts or stands and operate in public spaces, such as streets and parks;
- b) Security of and in the workplace – refers to the right of every registered ambulant vendor to an enabling environment that guarantees and protects the spaces to undertake one’s work, including the right to be safe in one’s

designated workspace and freedom from discrimination, risk, danger, doubt, anxiety, or fear of being removed, evicted, or prevented from working;

- c) Social Protection Floor – refers to a set of basic social security guarantees designed to ensure that all registered ambulant vendors have access to essential healthcare, income security, and other necessary services. It aims to protect workers against poverty, vulnerability, and social exclusion by providing a minimum standard of living through coordinated government support and resources.

Sec. 5. Rights of Ambulant Vendors. – Ambulant vendors shall be entitled to the rights accorded to workers by the Philippine Constitution, the Labor Code of the Philippines, as amended, and relevant international human rights instruments and international labor standards. These rights include but are not limited to:

- a) Right to safe and secure working conditions safeguarding occupational, mental, and general physical health;
- b) Right to equal and equitable access to justice for redress of grievances, including alternative dispute resolution process; and
- c) Right to access social protection and safety nets, labor market programs, and social welfare interventions such as social security, health care, and insurance.

Sec. 6. Rights of Registered Ambulant Vendors. – In addition to the rights provided under Section 5 hereof, ambulant vendors who are registered with concerned local government unit in accordance with this Act shall have the following rights:

- a) Right to security of and in the designated vending place assigned during the term of such registered ambulant vendor's license;
- b) Right to renewal of registration as an Ambulant Vendor for such designated vending place, subject to said person's continued qualification as an Ambulant Vendor; and
- c) Right to security of tenure in the designated vending place as assigned by the concerned local government unit.

Sec. 7. Exemptions from License Fees, Charges. – Ambulant vendors shall be exempt from paying business license fees, municipal charges, or other fees, provided that they comply with the registration requirements pursuant to this Act.

Sec. 8. Creation of a Local Inter-Agency Council on the Security and Protection of Registered Ambulant Vendors – The City or Municipal Mayor shall establish a Local Inter-Agency Council through an appropriate local ordinance within one (1) year from the effectivity of this Act. This council will be responsible for coordinating efforts to ensure the security and protection of registered ambulant vendors.

(a) The Local Inter-Agency Council shall be headed by the City or Municipal Administrator and shall be composed of the following as members:

- i. Chairperson of the *Sanggunian* Committee on Market, Business or Trade;
- ii. City or Municipal Planning and Development Officer;
- iii. City or Municipal Market Administrator, or a person holding an equivalent position;
- iv. Chief, City or Municipal Police;
- v. At least two (2) Representatives from the City or Municipal Vendors Association and;
- vi. In the case of Metropolitan Manila, a representative from the Metro Manila Development Authority.

(b) The Local Inter-Agency Council shall perform the following functions:

- i. Formulate plans, programs, projects or activities that will ensure the security of vendors in the workplace for the approval of the *Sanggunian*;
- ii. Recommend appropriate measures to the City or Municipal Mayor and the *Sanggunian* to enhance the participation of vendors in local socio-economic development efforts;
- iii. Assist in conducting surveys on vacant areas for vending;
- iv. Conduct regular inspections and monitor the compliance of ambulant vendors to health and safety standards.

Sec. 9. Registration of Ambulant Vendors. – All ambulant vendors shall register with the city or municipality where they are vending or intend to vend within such city or municipality's territorial jurisdiction. For this purpose, the concerned *Sanggunian* shall enact an ordinance on the registration of ambulant vendors and governing the issuance of business/vending permits to operate for said vendors.

It shall be the responsibility of the concerned Local Government Unit (LGU) to register qualified ambulant vendors. The registration of ambulant vendors shall be simplified and shall not follow the regular procedure in registering businesses and other commercial activities in an LGU.

In the registration of ambulant vendors, the following documents shall be required:

- i. Valid government issued identification;
- ii. Certification from the *Punong Barangay* attesting that the vendor is a resident of the barangay;
- iii. A duly accomplished Registration Form indicating the workplace where such vendor is vending or intends to vend; and
- iv. Certificate of Indigency.

Sec. 10. Survey on Vacant Areas for Vending. – The City or Municipal Mayor, in coordination with the Local Inter-Agency Council, shall conduct a survey to identify vacant areas within the vicinity of markets, other vacant public spaces, public parks, city or municipal streets, or sidewalks. These areas must be in locations with high pedestrian traffic to ensure that vendors can effectively sell their goods.

Sec. 11. Authority to Designate a Workplace. – Pursuant to the recommendation of the Local Inter-Agency Council, the *Sanggunian* shall designate a workplace or workplaces for vending through an ordinance. The use of a public park, city or municipal street or sidewalk for vending purposes shall be subject to the provisions of Sections 16 to 21 of the Local Government Code of 1991 and the Land Transportation Code, respectively.

Sec. 12. Prior Consultation Required. – No workplace for vending purposes shall be designated as such unless prior consultation with registered ambulant vendors, the local police and the affected inhabitants is undertaken.

Sec. 13. Policy on relocation of vending sites. – Registered ambulant vendors shall not be arbitrarily deprived of their workplaces by being unjustly ejected from their workplaces nor shall their stalls be demolished without due process of law.

Pending the designation of a viable vending area, vendors occupying a public place not previously designated as vending site, shall be provided with a viable temporary vending site by the city or municipal government.

Sec. 14. Formalization of the Social Protection Floor for Ambulant Vendors. – The State shall support, sustain, enhance, or institutionalize the social protection floor for ambulant vendors by coordinating resources from various government agencies. This will ensure continuous social security and health insurance subsidies for these vulnerable workers.

Sec. 15. Social Insurance. – Social insurance programs, including those provided by the Social Security System (SSS), the Home Development Mutual Fund (Pag-IBIG), and the Philippine Health Insurance Corporation (PhilHealth), shall, as far as practicable, be fully available to registered ambulant vendors. For this purpose, policies and mechanisms for their full utilization and benefit shall be formulated by the SSS, Pag-IBIG, and PhilHealth.

Sec. 16. Health and Safety Standards. – All registered ambulant vendors shall at all times comply with basic health and safety standards to be established by the municipal or city government in coordination with the Local Inter-Agency Council.

Sec. 17. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the Department of the Interior and Local Government promulgate the necessary implementing rules and regulations of this Act for the implementation of this Act.

Sec. 18. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

Sec. 19. Repealing Clause. – All laws, orders, rules, and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 20. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,