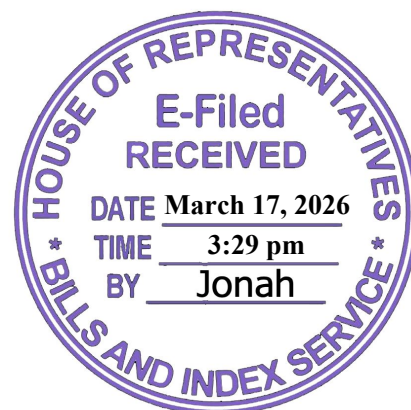


To Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8616



Introduced by **HON. BRIAN RAYMUND S. YAMSUAN**

AN ACT INCREASING THE PENALTIES FOR PROHIBITED ACTS INIMICAL TO THE PUBLIC INTERESTS AND NATIONAL SECURITY INVOLVING PETROLEUM AND/OR PETROLEUM PRODUCTS, AMENDING FOR THIS PURPOSE BATAS PAMBANSA BLG. 33, AS AMENDED BY PRESIDENTIAL DECREE NO. 1865

EXPLANATORY NOTE

The recent conflict in the Middle East and its resulting effects in oil prices revealed the necessity for strong protections against acts involving petroleum products that are inimical to public interests. When the news broke of the impending oil price hike in the country, there were several reports of hoarding and profiteering in the sale of petroleum products.¹ In fact, as of 9 March 2026, the Department of Energy assessed 87 reports of excessive fuel price hikes, 26 of which are from Metro Manila, and issued 55 show cause orders to such reported gas stations.² The Philippine National Police has also increased police visibility in gas stations, to help in monitoring hoarding and price manipulation.³

Batas Pambansa Blg. 33, first enacted in 1979, and later amended in 1983 by Presidential Decree No. 1865 (PD 1865), was promulgated precisely to curb activities involving petroleum and petroleum products that are inimical to the public interest and national security, such as illegal trading, hoarding, overpricing, and misuse of petroleum allocations. Under PD 1865, the penalties for these prohibited acts were

¹<https://doe.gov.ph/articles/3352050--doe-flags-against-possible-profiteering-and-hoarding-coordinates-with-dilg-and-pnp-for-immediate-action?title=DOE%20Flags%20Against%20Possible%20Profiteering%20and%20Hoarding%3B%20Coordinates%20With%20DILG%20and%20PNP%20for%20Immediate%20Action>

² <https://www.pna.gov.ph/articles/1270646>

³ <https://www.pna.gov.ph/articles/1270584>; <https://newsinfo.inquirer.net/2192495/arrest-awaits-gas-stations-execs-hoarding-supply-amid-oil-price-spike>

increased to a fine of not less than P20,000 but not more than P50,000, or imprisonment of at least 2 years but not more than 5 years, or both, at the discretion of the court.⁴

Since PD 1865 is a decades old law, the penalties prescribed are no longer at par with more recently enacted laws involving petroleum products or those seeking to curb similar behavior that seek to take advantage of Filipino consumers. For instance, violations under the *Downstream Oil Industry Deregulation Act of 1998*, the law which seeks to ensure a competitive market in the oil industry, are penalized with a fine ranging from P50,000 to P300,000.⁵ Meanwhile, acts of cartelization and predatory pricing are penalized with 3 to 7 years imprisonment, and a fine ranging from P1 million to P2 million.

Further, under Republic Act No. 7581 or the *The Price Act*, illegal acts of price manipulation of any basic necessity or prime commodity, such as hoarding and profiteering, are punishable by imprisonment of not less than 5 years nor more than 15 years, and a fine of not less than P5,000 nor more than P2 million.

This measure seeks to increase the penalties under PD 1865, in recognition of the abhorrent nature of these crimes, especially those that take advantage of Filipinos during emergency situations or economic difficulties, for their own personal gain. To curb these practices, this bill proposes to amend the fines from P20,000 - P50,000 to P50,000 - P300,000, and raise the period of imprisonment from 2-5 years to 5-15 years. Strengthening these protections are necessary to deter individuals from these exploitative practices.

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


BRIAN RAYMUND S. YAMSUAN
Representative
2nd District, Parañaque City

⁴ Presidential Decree No. 1865, Section 4.

⁵ Republic Act No. 8479, Section 24.

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

SECTION 1. Section 4 of Batas Pambansa Blg. 33, as amended by Presidential Decree No. 1865, is hereby further amended as follows:

Sec. 4. Penalties. — Any person who commits any act herein prohibited shall, upon conviction, be punished with a fine of not less than ~~TWENTY FIFTY~~ thousand pesos (~~P20,000~~) **(P50,000)** but not more than ~~FIFTY THREE HUNDRED~~ thousand pesos (~~P50,000~~) **(P300,000)**, or imprisonment of at least ~~two (2)~~ **FIVE** YEARS but not more than ~~FIVE FIFTEEN (5) (15)~~ years, or both, in the discretion of the court. In cases of second and subsequent conviction under this Act, the penalty shall be both fine and imprisonment as provided herein. Furthermore, the petroleum and/or petroleum products subject matter of the illegal trading, adulteration, shortselling, hoarding, overpricing [and] OR misuse, shall be forfeited in favor of the Government: Provided, That if the petroleum and/or petroleum products have already been delivered and paid for, the offended party [the payment made] shall be indemnified twice the amount paid [the subject of forfeiture] and if the seller who has not yet delivered has been fully paid, the price received shall be returned to the buyer with an additional amount equivalent to such price; and in addition, if the offender is [a trader] an oil company,

marketer, distributor, refiller, dealer, sub-dealer and other retail outlets, or hauler, the cancellation of his license.

SEC. 2. Repealing Clause. — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC. 3. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,