EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

H. B. No. 4552

Introduced by Rep. Vilma Santos-Recto
6th District of Batangas

AN ACT
PROVIDING FOR THE ESTABLISHMENT OF TIMBANGAN NG BAYAN
CENTERS IN PUBLIC AND PRIVATE MARKETS NATIONWIDE, AMENDING
FOR THE PURPOSE REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS THE
"CONSUMER ACT OF THE PHILIPPINES," AND FOR OTHER PURPOSES

EXPLANATORY NOTE

With the current global economic downturn and the relative volatility of our
economy, prices of commodities in the local market have been increasing significantly. From
2012-2018 the Philippines registered an average of 2.8% inflation rate per annum, effectively
reducing the purchasing power of the peso by about 14.7%\(^1\). This is particularly prevalent in
food and non-alcoholic commodities; whose prices rose by about 6.7% from December 2017
to December 2018\(^2\). This makes it more difficult for the average Filipino households to
provide for their basic food needs.

The adverse effect of rising prices is further aggravated by unscrupulous business
practices in our local markets. One of the more pervasive frauds committed in the
marketplace is the use of inaccurate weighing scales. While many national and local
government operatives may have been diligent in confiscating defective weighing
instruments, many consumers are still unknowingly victimized because they have no means
to proactively prevent fraud.

\(^1\) Bangko Sentral ng Pilipinas. Consumer Price Index, Core Inflation, Inflation Rate & Purchasing Power of the Peso. Retrieved from

To remedy the problem, this bill seeks to mandate local government units, through the assistance of the Department of Trade and Industry, to establish Timbangan ng Bayan Centers in all public and private markets nationwide. Timbangan ng Bayan Centers will provide readily accessible standards and instruments for weights and measures that can benefit the public in two ways. One, it can enable consumers to protect themselves from deceptive, unfair and unconscionable sales and business practices. Two, it can deter underhanded merchants from committing fraudulent acts to improve their profit margins.

Ultimately, this bill seeks to aid in realizing the intentions of Republic Act No. 7394, otherwise known as the “Consumer Act of the Philippines” in protecting the interests of the consumers, promoting their general welfare, and in establishing standards of conduct for business and industry.

In view of the foregoing, the swift passage of the proposed measure is earnestly sought.

AMIL SANTOS-RECTO
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:

Section 1. A new Article 62-A shall be inserted after Article 62 of Republic Act No.
7394, otherwise known as the “Consumer Act of the Philippines,” to read as follows:

"ARTICLE 62-A. ESTABLISHMENT OF TIMBANGAN NG
BAYAN CENTERS. – ALL CITY AND MUNICIPAL GOVERNMENTS,
THROUGH THEIR CITY AND MUNICIPAL TREASURERS, SHALL
ESTABLISH TIMBANGAN NG BAYAN CENTERS IN ALL PUBLIC
AND PRIVATE MARKETS, INCLUDING SUPERMARKETS, FLEA
MARKETS OR TIANNGGES, WITHIN THEIR RESPECTIVE
LOCALITIES, WHERE INSTRUMENTS FOR DETERMINING
WEIGHTS AND MEASURES SHALL BE OPEN FOR AND
ACCESSIBLE TO ANY PERSON WHO NEEDS TO VERIFY THE
ACCURACY OF THE QUANTITY AND MEASUREMENTS OF THE
PRODUCTS PURCHASED.

"THE SAFEKEEPING AND MAINTENANCE OF SAID
INSTRUMENTS SHALL BE UNDER THE CONTROL AND
SUPERVISION OF THE MARKET SUPERVISOR WHO SHALL
LIKewise BE RESPONSIBLE FOR MAINTAINING A RECORD OF
EVERY PRODUCT FOUND TO BE WANTING IN QUANTITY OR
SUBSTANDARD IN DIMENSION, AS WELL AS THE
ESTABLISHMENT WHERE THE SAME WAS BOUGHT INCLUDING
THE NAME/S OF THE PROPRIETOR/S OR MANAGER/S THEREOF.
A CERTIFICATION DULY ISSUED BY THE MARKET SUPERVISOR
OR AN AUTHORIZED REPRESENTATIVE REFLECTING THE
CONTENTS OF SUCH RECORD SHALL BE PRIMA FACIE
EVIDENCE OF A VIOLATION OF ARTICLE 64 OF THIS ACT.

"THE PROHIBITED ACTS RELATIVE TO WEIGHTS AND
MEASURES PROVIDED UNDER SECTION 64 OF THIS ACT SHALL
LIKEWISE APPLY TO TIMBANGAN NG BAYAN INSTRUMENTS."

Sec. 2. Article 64 of Republic Act No. 7394, otherwise known as the “Consumer Act
of the Philippines,” is hereby amended to read as follows:

"ARTICLE 64. Fraudulent Practices Relative to Weights and
Measures. – The following acts relating to weights and measures are
prohibited:

"x x x.

"h) for any person to fraudulently alter, TAMPER, VANDALIZE
OR DESTROY any scale, balance, TIMBANGAN NG BAYAN, weight or
measure after it is officially sealed;"

Sec. 3. Article 65 of Republic Act No. 7394, otherwise known as the “Consumer Act
of the Philippines,” is hereby amended to read as follows:

"Article 65. Penalties. – a) Any person who shall violate the
provisions of paragraphs (a) to (f) and paragraph (l) of Article 64 OF THIS
ACT or its implementing rules and regulations shall, upon conviction, be
subject to a fine of not less than [Two hundred pesos (P200.00)] FIFTY
THOUSAND PESOS (P50,000.00) but not more than [One thousand pesos
(P1,000.00)] THREE HUNDRED THOUSAND PESOS (P300,000.00) or
by imprisonment of not [more] LESS than one (1) year BUT NOT MORE
THAN FIVE (5) YEARS or both upon the discretion of the court.

"b) Any person who shall violate the provisions of paragraph (g) of
Article 64 for the first time shall be subject to a fine of not less than [Five
hundred pesos (P500.00)] FIFTY THOUSAND PESOS (P50,000.00) BUT
NOT MORE THAN THREE HUNDRED THOUSAND PESOS
(P300,000.00) or by imprisonment of not less than one (1) [month] YEAR
but not more than five (5) years or both upon the discretion of the court.

"c) The owner[-], possessor or user of instrument of weights and
measure enumerated in paragraphs (h) to (k) of Article 64 OF THIS ACT
shall, upon conviction, be subject to a fine of not less than [Three hundred
pesos–(P300.00)] FIFTY THOUSAND PESOS (P50,000.00) BUT NOT
MORE THAN THREE HUNDRED THOUSAND PESOS (P300,000.00)
or BY imprisonment OF not [exceeding one] LESS THAN (1) year BUT
NOT MORE THAN FIVE (5) YEARS or both upon the discretion of
the court: PROVIDED, THAT TWO (2) SUCCESSIVE VIOLATIONS
OF THIS ACT SHALL AUTOMATICALLY RESULT IN THE
CANCELLATION OF THE BUSINESS PERMIT OF THE ERRING
BUSINESS ESTABLISHMENT."

Sec. 4. Assistance to Provincial, City and Municipal Governments. – The Department
of Trade and Industry (DTI) shall provide assistance to cities and municipalities in the
establishment of Timbangan ng Bayan Centers nationwide under its consumer protection and
other relevant programs and projects: Provided, That priority shall be accorded to cities and
municipalities belonging to fourth, fifth and sixth income classifications.

Sec. 5. Implementing Rules and Regulations. – Within sixty (60) days from the
approval of this Act, the Department of the Interior and Local Government and the DTI shall,
in coordination with the Union of Local Authorities of the Philippines, the League of Cities
of the Philippines, the League of Municipalities of the Philippines, and other relevant
government agencies and stakeholders, promulgate the rules and regulations to effectively
implement the provisions of this Act.

Sec. 6. Separability Clause. – If any provision, section or part of this Act shall be
declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any
other provisions, sections or parts hereof.

Sec. 7. Repealing Clause. – All laws, decrees, orders, rules and regulations which are
inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 8. Effectivity. – This Act shall take effect fifteen (15) days following its
publication in at least two (2) newspapers of general circulation or in the Official Gazette.

Approved,