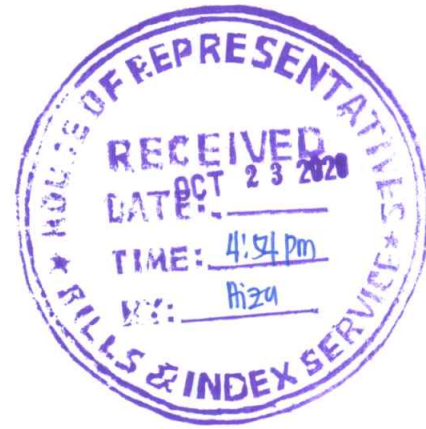


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7923



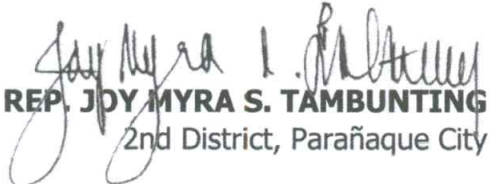
Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

This proposed measure seeks to amend the Section 18, Book VII, Chapter 3 of the Administrative Code of the Philippine to provide that a license should not expire, given that the licensee has made timely and sufficient application for the renewal of a license or franchise until finally determined by the relevant department, agency or branch of government. This measure also amends the provision for non-expiration to also include franchises. In addition, it also specifically provides that inaction on a pending application must not be considered a denial of the application.

This amendment effectively compels issuing authority to act on applications and prevent the unnecessary cease of operations of an enterprise due to the inaction of the issuing agency. This Representation fully recognizes the that the right to amend, alter or repeal franchises are inherently reserved to the legislative, as provided in the Constitution. Considering that, this proposed measure does not intend to encroach or violate the Congressional power as regards franchises, it merely encourages concerned agencies or branches of government to act on applications for renewal of franchises and licenses promptly and resolutely.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

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HOUSE BILL NO. 7923

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
AMENDING SECTION 18, BOOK VII, CHAPTER 3 OF THE ADMINISTRATIVE CODE OF
THE PHILIPPINES

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

SECTION 1. Section 18, Book VII, Chapter 3 of Executive Order No. 292, is hereby amended to read as follows:

"SECTION 18. Non-expiration of License **OR FRANCHISE**. - ~~[ANY PROVISION OF LAW]~~ **THE PROVISIONS OF SECTION 1 HEREOF AND ANY OTHER PROVISION OF THIS CODE AND OTHER LAWS TO THE CONTRARY NOTWITHSTANDING**, where the **ADMINISTRATIVE OR LEGISLATIVE licensee OR FRANCHISEE** has made timely and sufficient application for the renewal of a license **OR FRANCHISE** with reference to any activity of a continuing nature, the existing license **OR FRANCHISE** shall not expire until the application shall have been finally determined by the agency, **DEPARTMENT, OR BRANCH OF GOVERNMENT AUTHORIZED TO GRANT THE LICENSE OR FRANCHISE**.

THERE IS FINAL DETERMINATION WHEN AN APPLICANT IS GIVEN WRITTEN NOTICE OF APPROVAL OR DENIAL OF ITS APPLICATION FOR RENEWAL. INACTION ON A PENDING APPLICATION SHALL NOT BE CONSIDERED A DENIAL THEREOF: PROVIDED, THAT, AN APPLICATION FOR RENEWAL OF A LEGISLATIVE FRANCHISE IS IPSO FACTO DENIED WHEN A CONGRESS ADJOURNS SINE DIE WITHOUT HAVING APPROVED THE APPLICATION."

SEC. 2. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, the provisions not affected thereby shall continue to be in full force and effect.

SEC. 3. Repealing Clause. – All laws, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. Effectivity. – This Act shall take effect upon its publication in the Official Gazette or in a newspaper of general circulation.

Approved,