



S E N A T E

S. No. 1241

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PREPARED BY THE COMMITTEE ON TRADE, COMMERCE AND  
ENTREPRENEURSHIP JOINT WITH THE COMMITTEE ON  
LOCAL GOVERNMENT, WITH SENATORS RECTO,  
PIMENTEL III, ZUBIRI, VILLANUEVA, TOLENTINO AND  
DELA ROSA AS AUTHORS THEREOF

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AN ACT INSTITUTIONALIZING THE ESTABLISHMENT  
OF TIMBANGAN NG BAYAN CENTERS IN PUBLIC  
AND PRIVATE MARKETS, AMENDING FOR THE  
PURPOSE CHAPTER II, TITLE III OF REPUBLIC  
ACT NO. 7394 OTHERWISE KNOWN AS THE  
“CONSUMER ACT OF THE PHILIPPINES

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

1           SECTION 1. Chapter II, Title III of Republic Act No.  
2   7394, otherwise known as the “Consumer Act of the  
3   Philippines” is hereby amended to read as follows:

4                           “CHAPTER II

5                           “Art. 61.    x x x

6                           “Art. 62.    x x x

1           “ARTICLE 62-A. ESTABLISHMENT OF  
2           *TIMBANGAN NG BAYAN* CENTERS. – ALL  
3           PROVINCIAL, CITY AND MUNICIPAL  
4           GOVERNMENTS, THROUGH THEIR  
5           PROVINCIAL, CITY AND MUNICIPAL  
6           TREASURERS, SHALL ESTABLISH  
7           ACCESSIBLE *TIMBANGAN NG BAYAN*  
8           CENTERS IN ALL PUBLIC AND PRIVATE  
9           MARKETS, INCLUDING MALLS,  
10          SUPERMARKETS, WET MARKETS, DRY  
11          MARKETS, AND WHEN PRACTICABLE, IN  
12          FLEA MARKETS OR *TIANGGES*,  
13          SPECIALTY STORES, AND GROCERY  
14          STORES, WITHIN THEIR RESPECTIVE  
15          LOCALITIES.

16          “THESE CENTERS MUST HAVE THE  
17          NECESSARY WEIGHING INSTRUMENTS  
18          WHICH SHALL BE AVAILABLE TO ALL  
19          PERSONS WHO NEED TO CONFIRM THE  
20          ACCURACY OF THE QUANTITY OR

1 MEASUREMENTS OF PRODUCTS  
2 PURCHASED OR ABOUT TO BE  
3 PURCHASED.

4 "THE MARKET OR MALL  
5 SUPERVISOR SHALL BE IN CHARGE OF  
6 THE SAFEKEEPING AND MAINTENANCE  
7 OF THE WEIGHING INSTRUMENTS AND  
8 SHALL BE RESPONSIBLE FOR  
9 MAINTAINING A RECORD OF EVERY  
10 PRODUCT FOUND TO BE LACKING IN  
11 QUANTITY OR IS SUBSTANDARD IN  
12 DIMENSION, AS WELL AS THE  
13 ESTABLISHMENT WHERE THE SAME WAS  
14 BOUGHT INCLUDING THE NAME/S OF  
15 THE PROPRIETOR/S OR MANAGER/S  
16 THEREOF.

17 "A CERTIFICATION DULY ISSUED BY  
18 THE MARKET OR MALL SUPERVISOR OR  
19 HIS/HER AUTHORIZED REPRESENTATIVE  
20 REFLECTING THE CONTENTS OF SUCH

1 RECORD SHALL BE *PRIMA FACIE*  
2 EVIDENCE OF A VIOLATION OF ARTICLE  
3 64 OF THIS ACT.

4 “THE PROHIBITED ACTS PROVIDED  
5 UNDER SECTION 64 OF THIS ACT SHALL  
6 LIKEWISE APPLY TO *TIMBANGAN NG*  
7 *BAYAN* INSTRUMENTS.

8 “ART. 62-B. COVERAGE. – THE  
9 MARKET MENTIONED IN ART. 62-A,  
10 WHICH REFERS TO PUBLIC PLACE,  
11 BUILDING, OR STRUCTURE WHERE  
12 GOODS, MERCHANDISE, FOODSTUFF,  
13 COMMODITIES OR ARTICLES OF  
14 COMMERCE ARE DISPLAYED AND  
15 OFFERED FOR SALE TO THE GENERAL  
16 PUBLIC, SHALL INCLUDE THE  
17 FOLLOWING:

18 (a) PUBLIC MARKET – A MARKET  
19 OWNED, OPERATED AND/OR MANAGED  
20 BY A PROVINCE, CITY OR MUNICIPALITY

1 DESIGNATED AS SUCH BY THE  
2 SANGGUNIAN OF THAT PROVINCE, CITY  
3 OR MUNICIPALITY DEDICATED TO THE  
4 SERVICE OF THE GENERAL PUBLIC;

5 (b) PRIVATE MARKET – A MARKET  
6 OWNED, OPERATED AND/OR MANAGED  
7 BY PRIVATE INDIVIDUALS OR ENTITIES,  
8 COOPERATIVES, INSTITUTIONS OR  
9 CORPORATIONS;

10 (c) GROCERY STORE – A RETAIL  
11 SHOP THAT PRIMARILY SELLS FOOD AND  
12 HOUSEHOLD ITEMS IN A SPECIFIC  
13 COMMUNITY;

14 (d) SUPERMARKET – A MARKET  
15 DISTINCT FROM A WET OR DRY MARKET  
16 AND LARGER THAN A GROCERY IN  
17 WHICH SHOPPERS SERVE THEMSELVES  
18 BY USING BASKETS OR PUSHCARTS IN  
19 SELECTING COMMODITIES FROM  
20 SHELVES OR COLD DISPLAY STORAGES

1           AND PAYING FOR THEIR PURCHASES AT  
2           THE EXIT;

3                   (e) WET MARKET – A MARKET  
4           WHERE MOST OF THE COMMODITIES FOR  
5           SALE ARE READILY PERISHABLE GOODS;

6                   (f) *DRY MARKET* – A MARKET  
7           WHERE MOST OF THE MERCHANDISE  
8           DISPLAYED FOR SALE ARE DRY OR NON-  
9           PERISHABLE GOODS;

10                   (g) FLEA MARKET OR *TIANGGE* – A  
11           TEMPORARY MARKET WHERE GOODS,  
12           MERCHANDISE, FOOD PRODUCTS ARE  
13           SOLD;

14                   (h) SPECIALTY STORE – SMALL  
15           RETAIL OUTLET THAT FOCUSES ON  
16           SELLING A PARTICULAR RANGE OF  
17           PRODUCTS AND ASSOCIATED ITEMS;

18                   (i) MALL – A LARGE BUILDING OR  
19           SERIES OF CONNECTED BUILDINGS

1           CONTAINING A VARIETY OF RETAIL  
2           STORES;

3           “ART. 62-C. ASSISTANCE TO  
4           PROVINCIAL, CITY AND MUNICIPA  
5           GOVERNMENTS. – THE DEPARTMENT OF  
6           TRADE AND INDUSTRY (DTI) SHALL  
7           PROVIDE ASSISTANCE TO PROVINCES,  
8           CITIES AND MUNICIPALITIES IN THE  
9           ESTABLISHMENT OF *TIMBANGAN NG*  
10          *BAYAN* CENTERS NATIONWIDE UNDER  
11          ITS CONSUMER PROTECTION AND OTHER  
12          RELEVANT PROGRAMS AND PROJECTS:  
13          *PROVIDED*, THAT PRIORITY SHALL BE  
14          ACCORDED TO PROVINCES, CITIES AND  
15          MUNICIPALITIES BELONGING TO  
16          FOURTH, FIFTH AND SIXTH INCOME  
17          CLASSIFICATIONS.

18                 “Art. 63.    x x x

19                 “Art. 64. *Fraudulent Practices Relative to*  
20          *Weights and Measures.* – The following acts

1 relating to weights and measures are  
2 prohibited:

3 “x x x.

4 “(h) for any person to fraudulently alter,  
5 TAMPER, VANDALIZE OR DESTROY any  
6 scale, balance, TIMBANGAN NG BAYAN,  
7 weight or measure after it is officially sealed;”

8 “x x x

9 “Art. 65. *Penalties.* – (a) Any person who  
10 shall violate the provisions of paragraphs (a) to  
11 (f) and paragraph (l) of Article 64 OF THIS  
12 ACT or its implementing rules and regulations  
13 shall, upon conviction, be subject to a fine of  
14 not less than [~~Two hundred pesos (P200.00)~~]  
15 FIFTY THOUSAND PESOS (P50,000.00) but  
16 not more than [~~One thousand pesos~~  
17 (~~P1,000.00~~)] THREE HUNDRED THOUSAND  
18 PESOS (P300,000.00) or by imprisonment of  
19 not [~~more~~] LESS than one (1) year BUT NOT



1 MORE THAN FIVE (5) YEARS or both upon  
2 the discretion of the court.

3 (b) Any person who shall violate the  
4 provisions of paragraph (g) of Article 64 for the  
5 first time shall be subject to a fine of not less  
6 than [~~Five hundred pesos (P500.00)~~] FIFTY  
7 THOUSAND PESOS (P50,000.00) BUT NOT  
8 MORE THAN THREE HUNDRED  
9 THOUSAND PESOS (P300,000.00) or by  
10 imprisonment of not less than one (1) [~~month~~]  
11 YEAR but not more than five (5) years or both  
12 [~~5~~] upon the discretion of the court.

13 (c) The owner [-], possessor or user of  
14 instruments of weights and measures  
15 enumerated in paragraphs (h) to (k) of Article  
16 64 OF THIS ACT shall, upon conviction, be  
17 subject to a fine of not less than [~~Three~~  
18 ~~hundred pesos (P300.00)~~] FIFTY THOUSAND  
19 PESOS (P50,000.00) BUT NOT MORE THAN  
20 THREE HUNDRED THOUSAND PESOS

1 (P300,000.00) or BY imprisonment of not  
2 [~~exceeding one~~] LESS THAN (1) year BUT  
3 NOT MORE THAN FIVE (5) YEARS<sup>[5]</sup> or  
4 both<sup>[5]</sup> upon the discretion of the court:  
5 *PROVIDED*, THAT TWO (2) SUCCESSIVE  
6 VIOLATIONS OF THIS ACT SHALL  
7 AUTOMATICALLY RESULT IN THE  
8 CANCELLATION OF THE BUSINESS  
9 PERMIT OF THE ERRING INDIVIDUAL OR  
10 BUSINESS ESTABLISHMENT.”

11 *SEC. 2. Implementing Rules and Regulations* – Within  
12 sixty (60) days from the approval of this Act, the  
13 Department of the Interior and Local Government and the  
14 DTI shall, in coordination with the Union of Local  
15 Authorities of the Philippines, the League of Provinces of  
16 the Philippines, the League of Cities of the Philippines, the  
17 League of Municipalities of the Philippines, and other  
18 relevant government agencies and stakeholders,  
19 promulgate the rules and regulations to effectively  
20 implement the provisions of this Act.

1           SEC. 3. *Separability Clause.* – If any provision, section  
2 or part of this Act shall be declared unconstitutional or  
3 invalid, such judgment shall not affect, invalidate or  
4 impair any other provisions, sections or parts hereof.

5           SEC. 4. *Repealing Clause.* – All laws, decrees, orders,  
6 rules and regulations which are inconsistent with the  
7 provisions of this Act are hereby repealed or modified  
8 accordingly.

9           SEC. 5. *Effectivity.* – This Act shall take effect fifteen  
10 (15) days following its publication in at least two (2)  
11 newspapers of general circulation or in the *Official Gazette*.

Approved,