



SENATE

20 JUL 28 AIO:11

S. B. NO. 1746

RECEIVED

Introduced by SENATOR JOEL VILLANUEVA

**AN ACT PROVIDING FOR A MAGNA CARTA FOR WORKERS IN
THE INFORMAL ECONOMY AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The International Labour Organization (ILO) defines the informal economy as consisting of dependent, self-employed small-scale producers and distributors of goods and services,¹ or workers who are not, or are otherwise insufficiently, covered by formal work arrangements.² In a survey conducted in 2008, the then National Statistics Office (NSO) and the United Nations Economic and Social Commission for Asia and the Pacific (UN ESCAP) found that there were approximately 10.5 million informal sector operators in the Philippines.³

In 2017, the Philippine Statistics Authority (PSA) estimates that there are about 14.3 million informal or self-employed workers nationwide. This number represents more than one third of the estimated 40.83 million workforce in the country in 2017.⁴

The contribution of workers from the informal economy to the overall economic health of the country cannot be gainsaid. The informal economy allows for the creation and production of economic opportunities, most especially for those who cannot integrate into the formal economy.⁵ Regrettably however, while the informal economy serves as a real driving force of the country's economy, the workers and actors in the informal economy remain largely "not covered by the country's labor laws and

¹ Informal Economy in the Philippines. International Labour Organization. Available at <https://www.ilo.org/manila/areasofwork/informal-economy/lang-en/index.htm> (date last accessed: July 21, 2020).

² Magna Carta of Workers in the Informal Economy. Philippine Commission on Women. Available at <https://www.pcw.gov.ph/wpla/magna-carta-workers-informal-economy> (date last accessed: July 21, 2020).

³ Informal sector operators counted at 10.5 million (Results from the 2008 Informal Sector Survey). Philippine Statistics Authority. Available at <https://psa.gov.ph/content/informal-sector-operators-counted-105-million-results-2008-informal-sector-survey> (date last accessed: July 21, 2020).

⁴ 2019, March 28. Government 'blind' to informal workers' true numbers. Business Mirror. Available at <https://businessmirror.com.ph/2019/03/28/government-blind-to-informal-workers-true-numbers/> (date last accessed: July 21, 2020).

⁵ *Supra*, note 2.

regulations.” In simpler terms, the informal economy as a whole has little protection from the law.

This paradox is highlighted even more in the face of the Constitutional prescriptions requiring the State to “promote a just and dynamic social order that will... free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all”;⁶ or “protect the rights of the workers and promote their welfare”;⁷ or “afford full protection to labor.”⁸

Thus, the proposed bill, among others, seeks to remedy this shortcoming in our legal system by affirming and establishing as a matter of law the rights, protection, and security afforded to workers and economic units in the informal sector, including rights and labor standards guaranteed to all workers and the entire labor force under the Constitution and relevant labor laws.

The proposed bill likewise affirms and protects the right of the informal sector workers to organize and perform legitimate activities as an organization. Additionally, it directs key government agencies to support and institutionalize social security measures and protection for the informal sector. The proposed bill seeks to afford the informal workers, economic units, and own-account workers preferential treatments, policy and infrastructure support, and measures intended to help the informal sector thrive and flourish as a successful and formidable economic force. This includes capacity-building for own-account workers to access e-marketing facilities that will especially remove middle men in the transaction and facilitating the sale of produce or products directly to the consumers. Our experience during the Enhanced Community Quarantine (ECQ) has greatly emphasized the need to directly connect these workers to the consumers in order to facilitate the continuous movement and sale of goods and products.

Lastly, this bill also mandates the Department of Social Welfare and Development (DSWD), in coordination with the Department of Interior and Local Government (DILG), Department of Information and Communications Technology (DICT), DOLE, and other appropriate government agencies, to establish a system of registration of workers in the informal economy, all economic units and informal economy organizations/associations. The need for such a registry has been all the more highlighted by the alleged chaotic recent distribution of financial assistance during the ECQ..

In view of the foregoing, the immediate passage of this bill is earnestly sought.


SENATOR JOEL VILLANUEVA

⁶ Constitution, Article II, Section 9.

⁷ *Id.*, Section 18.

⁸ *Id.*, Article XIII, Section 3.



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**AN ACT PROVIDING FOR A MAGNA CARTA FOR WORKERS IN
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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

**Chapter I
GENERAL PRINCIPLES**

SECTION. 1. Short Title. – This Act shall be known as the “Magna Carta for Workers
in the Informal Economy.”

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

- (a) 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;
- (b) Protect, promote, and fulfill the rights of every worker, including gender equity, non-discrimination, the right to self-organization, just and humane conditions of work, access to social protection programs and services, access to justice, security of and in the workplaces, and the right to represent their organizations in a continuing process of consultation, social dialogue, and tripartite bodies; and
- (c) Establish an integrated and coherent policy, at all levels of government, of formalization of informal economic units and informal economy workers, and make them visible in all relevant national and local statistics.

SEC. 3. Coverage. – This Act shall apply to all workers and economic units, including enterprises, entrepreneurs, and households in the informal economy, in particular:

- 1 (a) The self-employed workers, own-account workers and employers, members of
2 cooperatives, and members of other social and solidarity economy units;
3
4 (b) Home-based workers or contributing family workers, irrespective of whether they
5 work in economic units in the formal or informal economy;
6
7 (c) Employees holding informal jobs in or for formal enterprises, or for economic
8 units in the informal economy, including those in contract arrangement and/or in
9 supply chains, or as paid domestic workers employed by households;
10
11 (d) Workers in unrecognized or unregulated employment relationships;
12
13 (e) Agricultural workers or fisherfolk in unrecognized or unregulated agricultural or
14 farming endeavors and fishing activities; and
15
16 (f) Non-regular domestic workers.

17
18 **SEC. 4. Definition of Terms.** – As used in this Act, the following terms shall mean:
19

- 20 (a) “Informal Economy” refers to all economic activities by workers and economic
21 units that are, in law or in practice, not covered or insufficiently covered by formal
22 arrangements;
23
24 (b) “Economic Units in the Informal Economy” include, but not limited, to, units that
25 employ hired labor, units that are owned by individuals working on their own
26 account, either alone or with the help or contributing family workers, cooperatives
27 and other social and solidarity economy units, and informal work that may be
28 found across all sectors of the economy, in households, as well as public and
29 private spaces;
30
31 (c) “Informal Economy Workers’ Organization” refers to a group of informal sector
32 workers, whether formally constituted or otherwise, that are organized with the
33 primary objective of promoting the rights and welfare of workers in the informal
34 economy;
35
36 (d) “Informal Employment” refers to an employment arrangement in the formal or
37 informal sector or in households that exists, either based on casual employment,
38 kinship, or personal and social relations with no formal guarantees on legal
39 protection and social protection benefits;
40
41 (e) “Own-account worker” refers to workers who, working on their own account or
42 with one or more partners, hold the type of job defined as a self-employed job,
43 and have not engaged, on a continuous basis, any employee to work for them
44 during the reference period;
45
46 (f) “Security of and in the Workplace” refers to the right of every worker and informal
47 economic units to an enabling environment that guarantees and protects the
48 spaces to undertake their work, including the right to be safe in one’s own work
49 space, security of tenure and freedom from discrimination, risk, danger, doubt,
50 anxiety, or fear of being removed, evicted, or prevented from working;

1
2 (g) "Social Protection" refers to policies and programs that seek to reduce poverty
3 and vulnerability to risks and enhance the social status of the marginalized by
4 promoting and protecting livelihood and employment, protecting against hazards
5 and sudden loss of income, and improving people's capacity to manage risk, as
6 well as all other interventions that support communities, households, and
7 individuals, both women and men, and realizing their rights as citizens through
8 their full participation in decision-making affecting or which may affect their
9 access to and control over resources necessary to maintain and sustain a decent
10 and secure life;

11
12 (h) "Social and Solidarity Economy Units" refers to enterprises and organizations,
13 including cooperatives as defined under Republic Act No. 9520, otherwise known
14 as the Philippine Cooperative Code of 2008, mutual benefit societies,
15 associations, foundations, and social enterprises which produce goods, services,
16 and knowledge that meet the needs of the community they serve, through the
17 pursuit of specific social and environmental objectives and the fostering of
18 solidarity.

19
20 **Chapter II**
21 **RIGHTS AND BENEFITS**
22

23 **SEC. 5. Rights and Benefits of Workers in the Informal Economy.** – Workers
24 in the informal economy shall be entitled to all the rights accorded to workers by the
25 Philippine Constitution, the Labor Code of the Philippines, as amended, and relevant
26 international human rights instruments and international labor standards. Accordingly,
27 the State shall guarantee all workers in the informal economy the following:

28
29 (a) Right to security of and in the workplace;

30
31 (b) Right to make a living by work freely chosen or accepted;

32
33 (c) Right to just and favorable conditions of work, including provision for work-life
34 balance, child care, and other facilities;

35
36 (d) Right to a living wage and equal remuneration for work of equal value without
37 distinction of any kind, especially for women who shall be guaranteed equal
38 wages for work similar or equivalent to those done by men;

39
40 (e) Right to equal opportunity for promotion, subject to no other considerations than
41 seniority and competence;

42
43 (f) Right to safe and healthy working conditions safeguarding general, occupational,
44 and reproductive health;

45
46 (g) Right to basic services, including affordable medical care, reproductive and other
47 health services, low-cost housing, water, sanitation, cheap and affordable
48 electricity, and efficient and effective transportation system;

49
50 (h) Right to rest, leisure, and reasonable limitation of working hours;

- 1
2 (i) Right to maternity and paternity benefits, as provided for by law;
3
4 (j) Right to equal access to education, skills training, and economic resources to
5 develop self-reliance, especially for the youth, without any discrimination;
6
7 (k) Right to self-organization and to collectively negotiate with government and other
8 entities in the promotion of their welfare and in the advancement of their interests,
9 free from any political interference;
10
11 (l) Right to adequate food, clothing, shelter and standard of living, and the
12 continuous improvement of such standard;
13
14 (m) Right to be free from any form of discrimination, violence, exploitation, including
15 sexual exploitation, harassment, abuse, and any form of inhumane treatment
16 which debases, degrades, or demeans the intrinsic worth and dignity of the
17 worker as a human being;
18
19 (n) Right to accessible social protection and safety nets, labor market programs, and
20 social welfare interventions such as social security, health care, and
21 insurance;
22
23 (o) Right to participate in policy and decision-making processes and social dialogue,
24 including access to information and resources relevant to the promotion and
25 protection of their rights and welfare; and
26
27 (p) Right to equal and equitable access to justice for redress of grievances, including
28 alternative dispute resolution processes.
29

30 **SEC. 6. Rights and Benefits of Own-Account Workers.** – In addition to the rights
31 of workers in the informal economy, own-account workers, as well as informal
32 economic units, being the working poor's primary instruments to address and
33 overcome poverty, shall be accorded preferential rights by the State over the following:
34

- 35 (a) Infrastructure support, such as farm to market roads, common, affordable, and
36 secure workplaces and facilities, merchandising centers, farmers' markets or
37 bagsakan with proper storage facilities, and inventory bulk-buying centers;
38
39 (b) Policy support to ensure the unimpeded transport of their produce or products;
40
41 (c) Policy support to promote and protect locally-produced products and services,
42 including enhancement of the local value chain;
43
44 (d) Ease and facilitation of access to markets, including capacity-building to access
45 e-marketing facilities that will especially remove middle men in the transaction
46 and facilitating the sale of produce or products directly to the consumers;
47
48 (e) Access to affordable, appropriate, and adequate financial services, including,
49 among others, collateral-free and gender-balanced credit at low interest;
50

- 1 (f) Access to appropriate and adequate machinery, equipment, and other
2 technologies, with the end view of increasing productivity and growth;
3
4 (g) Protection from unjust dislocation from places where economic activities are
5 conducted, observing the policy of "relocation before demolition";
6
7 (h) Measures against racketeering, extortion, and harassment, by both State and
8 non-State elements;
9
10 (i) Common workplaces, shared facilities, product development and technology
11 support, and adequate and affordable marketing facilities;
12
13 (j) Freedom from deprivation of property without valid cause and due process of
14 law; and
15
16 (k) Affordable and customized social security and insurance programs.
17

18 **SEC. 7. Rights of Legitimate Organization of Workers in the Informal Economy**
19 **or Employment.** – Workers in the informal economy or employment may organize
20 into unions, cooperatives, social and solidarity economic units' organizations, and
21 mutual benefit associations. Organization of workers in the informal economy or
22 employment shall register with the Department of Labor and Employment and shall
23 have the right to:

- 24
25 (a) Freely function and act as the representatives of their members in policy and
26 decision-making processes, collective negotiations, tripartite bodies and
27 consultations, multi-sectoral and other similar bodies;
28
29 (b) Establish, join, or affiliate with national federations or confederations and
30 international trade union organizations;
31
32 (c) Access information from concerned government institutions and other parties
33 that are pertinent to the protection and promotion of the rights and welfare of their
34 members;
35
36 (d) Own property, whether real or personal, for the use and benefit of their
37 organizations and members;
38
39 (e) Sue and be sued under their registered name; and
40
41 (f) Undertake all other activities, not contrary to law, designed to benefit their
42 organizations and members.
43

44 **SEC. 8. Assistance to Organizations of Workers in the Informal Economy.** – The
45 State shall encourage and support the formation of organizations among marginalized
46 farmers, fisherfolk, women, and workers in the informal economy or employment,
47 whether in manufacturing, agriculture, transport, retail, services, or home-based
48 enterprises.
49

1 Towards this end, all national government agencies, government financial
2 institutions, and local government units' plans, programs, and policies shall foster an
3 atmosphere conducive to the exercise of the right to self-organization of the workers
4 in the informal economy. Such policies shall also facilitate and promote access to
5 credit, skills training, and inputs at lower cost. These policies shall also be geared
6 towards assisting such workers in obtaining fair prices for their produce or products
7 and ensuring uninterrupted supply chain for the efficient, effective and economical
8 transport of their products to consumers.

9
10 **Chapter III**
11 **SECURITY IN THE WORKPLACE OF WORKERS IN THE**
12 **INFORMAL ECONOMY OR EMPLOYMENT**
13

14 **SEC. 9. Designation of Workplaces.** – Local Government Units (LGUs), in
15 coordination with legitimate organization of workers in the informal economy and their
16 members, affected communities, and other relevant groups, shall identify, designate,
17 and design a system of assignment on the following:
18

19 (a) Productivity and merchandizing centers as viable workplaces for informal
20 workers, which may include markets and vacant areas near markets, vacant
21 public spaces and other spaces which may be a private property that the LGU
22 may acquire, lease, or negotiate with legitimate organization of workers in the
23 informal economy for lease under a memorandum of agreement; and
24

25 (b) Routes, terminals, and specific lanes for small transport workers.
26

27 **SEC. 10. Policy on Eviction and Demolition.** – Workers in the informal economy
28 or employment shall not be evicted from their homes and workplaces without any legal
29 ground as provided under Republic Act No. 7279, otherwise known as the “Urban
30 Development and Housing Act of 1992.” They shall also be provided with the same or
31 similar livelihood opportunities, adequate water and electricity and decent conditions
32 of living in accordance with law. Logistical viability for the displaced shall be given
33 priority in the course of determining the relocation sites or areas.
34

35 **SEC. 11. Policy on Confiscation of Materials and Impounding of Vehicles.** – In
36 cases where demolition or eviction is warranted by appropriate court order, the public
37 officer or government agency that conducted the same shall ensure non-violence and
38 shall issue an itemized receipt of all products, goods, and other materials seized or
39 confiscated from vendors and other affected workers in the informal economy or
40 employment. In no event shall these products be destroyed or discarded in the course
41 of such demolition or eviction.
42

43 Tricycles, pedicabs, and other modes of transportation shall not be impounded
44 for violations of license, registration, or traffic regulations unless the said vehicles were
45 utilized in the conduct of criminal activities. In cases of violation of traffic regulations,
46 a traffic violation ticket shall be issued to the erring driver without impounding his/her
47 vehicle.
48

49 **SEC. 12. Policy on Relocation of Vending Sites.** – Before any public market is
50 closed, sold, or demolished, all market vendors shall first be relocated by the LGU to

1 a temporary or new public market. Notice of the intention to close, sell, or demolish
2 any public market shall be made to all concerned vendors at least sixty (60) days
3 before the actual transfer or relocation to another market site. Within the sixty-day
4 period after issuance of notice, the LGU shall conduct consultations with affected
5 vendors on the relocation site and implementation of the relocation.
6

7 Vendors, ambulant or otherwise, occupying or selling in public places not
8 previously designated as vending sites shall be provided notice of transfer at least
9 fifteen (15) days before the actual transfer to the designated vending site. The fifteen
10 (15)-day notice shall likewise apply to vendors granted with permits but whose
11 workplaces are withdrawn from the list of allowable vending sites. Any change in the
12 list of allowable vending sites shall only be done after consultation with the affected
13 vendors.
14

15 In the event that a new public market is constructed in place of an old one,
16 market vendors with stalls displaced from their workplaces shall be given priority in the
17 assignment of stalls in the new market.
18

19 **SEC. 13. Policy on Relocation of Terminals and Change of Route.** – Relocation
20 of designated terminals for tricycles, pedicabs, jeepneys and other similar modes of
21 transportation and any change of route shall not be arbitrarily carried out without prior
22 notice and consultation with the drivers and/or transport groups concerned, legitimate
23 organizations of workers, affected community, and other relevant sectors. The
24 relocation of terminals and change of route shall be implemented through an
25 ordinance, the enactment of which shall be subject to the required consultation and
26 notice of intention as provided in the immediately preceding section.
27
28

29 **Chapter IV**
30 **SOCIAL PROTECTION FOR THE INFORMAL SECTOR**
31

32 **SEC. 14. Formalization of the Social Protection Floor.** – The State shall support,
33 sustain, enhance, or institutionalize the social protection floor initiative through
34 convergence of the resources of various agencies of the government for continuous
35 social security and health insurance subsidies to vulnerable and other informal
36 workers, as well as initiate programs for the unemployed, children, and older persons
37 based on applicable and ever improving standards.
38

39 **SEC. 15. Social Welfare Efforts.** – The Department of Social Welfare and
40 Development (DSWD), in coordination with the Department of Labor and Employment,
41 shall consolidate social welfare efforts to address the needs of the workers in the
42 informal economy, including direct assistance, policy development, and community
43 engagement for the workers.
44

45 **SEC. 16. Role of the Department of Labor and Employment.** – The DOLE shall
46 engage in labor market interventions that shall provide adequate protection for the
47 workers in the informal economy and ensure timely and immediate action for labor
48 concerns, as well as job generation, and other pertinent concerns.
49

1 **SEC. 17. Social Safety Nets.** – Social safety nets provided or implemented by the
2 DOLE, DSWD, Department of Agriculture (DA), and other government agencies shall
3 be made accessible to all workers in the informal economy and to their legitimate
4 organizations.

5
6 **SEC. 18. Social Insurance.** – Social insurance programs including Social Security,
7 Pag-ibig (Home Development Mutual Fund), and PhilHealth shall, as far as
8 practicable, be fully available to workers of the informal economy consistent with
9 Section 14 hereof. For this purpose, policies and mechanisms for their full utilization
10 and benefit shall be formulated by the SSS, HDMF, and PhilHealth.

11
12
13 **Chapter V**
14 **LABOR STANDARDS AND ENFORCEMENT OF LABOR LAWS**
15 **FOR WORKERS IN THE INFORMAL ECONOMY**

16
17 **SEC. 19. Applicability of the Provisions of the Labor Code.** –The provisions of the
18 Labor Code shall apply where employer-employee relationship exists between an
19 employer and a worker in the informal economy.

20
21 **SEC. 20. Prohibited Acts Specific to Workers in the Informal Economy.** – The
22 following are deemed prohibited:

23
24 (a) **Non-compliance with Minimum Labor Standards and Occupational Health**
25 **and Safety Standards.** The terms and conditions of employment of workers in
26 the informal economy shall not be lower than the minimum standards set by law.
27 The lack of formality of the work arrangement between the employer and the
28 worker or intermittency of work shall not mean the absence of an employment
29 relationship in the informal economy, it is sufficient that there is control on how
30 the work is to be done at the time of the engagement or economic dependence
31 of the worker on the employer is present.

32
33 In all cases, the employment agreement shall be explained to the worker and
34 attested to by a representative from the DOLE or LGU or an elected Barangay
35 official in the city or municipality where the worker is designated to work.

36
37 (b) **Recruitment or Finders' Fees.** Regardless of whether the worker was sourced
38 either through an employment agency or a third party, workers in the informal
39 economy shall neither be charged nor levied a recruitment fee or finders' fee by
40 the aforementioned employment agency or third party.

41
42 (c) **Hazardous Work and Conditions.** Workers shall not be engaged to do
43 hazardous work, activity, or undertaking, or be exposed to hazardous working
44 conditions. The rights of all workers under Republic Act No. 11058, otherwise
45 known as An Act Strengthening Compliance with Occupational Safety and Health
46 Standards and Providing Penalties for Violations Thereof, shall be respected.

47
48 (d) **Interference and Coercion.** Any person is prohibited from committing any of the
49 following acts of interference and coercion:
50

- 1 (1) Preventing any worker from upholding or exercising his/her rights;
2
3 (2) Preventing any worker from joining or assisting organization for purposes
4 not contrary to law;
5
6 (3) Preventing any worker from carrying out his/her duties or functions in an
7 organization, or to penalize the same for any lawful action performed in that
8 capacity;
9
10 (4) Harassing, threatening, coercing, or intimidating any worker that result in
11 preventing him or her from performing his or her duties and functions;
12
13 (5) Transferring, penalizing, or terminating the services of a worker without
14 valid or legal ground; and
15
16 (6) Other acts calculated to diminish the independence and freedom of
17 workers' organization to direct its own affairs.
18
19 (e) **Non-compliance with Republic Act No. 7610, as amended by Republic Act**
20 **No. 9231 in the employment of minors.** In cases where minors are contracted
21 or hired to render work or services in any informal economic activity, the DOLE
22 and the LGU or duly elected Barangay official where the work is to be done shall
23 ensure compliance with Republic Act No. 7610, as amended by Republic Act No.
24 9231. The employer of the minors shall also provide them with access to at least
25 elementary or secondary education, either through traditional schooling or
26 alternative learning systems.
27

28 **SEC. 21. Visitorial and Enforcement Power of the Secretary of Labor and**
29 **Employment.** – In pursuit of the of the exercise of the visitorial power of the Secretary
30 of Labor under Article 128 of the Labor Code of the Philippines, as amended,
31 employment and other work engagement in the informal economy shall be included in
32 the scope of the Secretary's visitorial power.
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Chapter VI
POLICY COORDINATION AND DEVELOPMENT

SEC. 22. Function of National Economic Development Authority. – The Committee on Social Development of the National Economic Development Authority (NEDA) shall develop policies and programs that shall institutionalize and strengthen informal economy workers and the informal economy units.

SEC. 23. Informal Economy Initiatives of Local Development Council. – The Local Development Councils of all provinces, cities, and municipalities shall establish a body of coordination, registration, and assistance for workers in the informal economy within their respective jurisdictions.

The Local Development Councils shall also form a sectoral or functional committee that shall facilitate the registration of informal economy workers.

Chapter VII
REGISTRATION OF INFORMAL ECONOMY WORKERS

SEC. 24. Registration. – The DSWD, in coordination with the Department of Interior and Local Government (DILG), Department of Information and Communications Technology (DICT), DOLE, and other appropriate government agencies, shall establish a system of registration of workers in the informal economy, all economic units and informal economy organizations/associations.

The national and local governments shall review, revalidate, and reassess such database as a tool for national and local planning and for other purposes every two (2) years.

The registry of economic units shall take into account the different sub-classifications in terms of asset size, number of workers, social insurance provided, statutory benefits and wages, industry, geography, premises, sex, ethnicity, vulnerability, and roles and functions. The database shall also indicate informal economic units which may be categorized as livelihood enterprises and entrepreneurial or growth-oriented informal businesses.

CHAPTER VIII
FINAL PROVISIONS

SEC. 25. Penal Provision. –

- (a) Any person who shall willfully interfere with, restrain or coerce a worker in the exercise of his or her rights or shall in any manner commit any act in violation of any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Twenty Thousand Pesos (Php20,000.00) or imprisonment of one (1) to six (6) years or both fine and imprisonment at the discretion of the Court.
- (b) If the offender is a public official, the Court, in addition to the penalties provided in the preceding paragraph, may impose the additional penalty or disqualification from public office.

- 1
2 (c) Any person who violates Section 11 of this Act (Policy on Confiscation of
3 Materials and Impounding of Vehicles) shall be liable. Nothing herein shall
4 prohibit the aggrieved workers in the informal economy from initiating a criminal
5 or civil action against the responsible person or officer.
6
7 (d) Failure to implement Sections 12 (Policy on Relocation of Vending Sites) and 13
8 (Policy on Relocation of Terminals and Change of Route) shall render the
9 responsible official/s administratively liable pursuant to Republic Act No. 7160
10 and other applicable laws, without prejudice to any civil or criminal cases that
11 may be filed against such erring official/s.
12
13 (e) If a private institution/company is found to have violated any provisions of this
14 Act, its business shall be suspended or revoked at the discretion of the Court.
15

16 **SEC. 26. Implementing Rules and Regulations (IRR).** – The DOLE, DILG,
17 Department of Social Welfare and Development (DSWD) and the National Economic
18 Development Authority (NEDA), in coordination with other concerned agencies and
19 stakeholders, shall formulate the implementing rules and regulations within 180 days
20 from the effectivity of this Act.
21

22 **SEC. 27. Separability Clause.** – If any provision of this Act is declared
23 unconstitutional or invalid, the provisions not affected shall continue to be in full force
24 and effect.
25

26 **SEC. 28. Repealing Clause.** – All laws, decrees, orders, rules and regulations or
27 other issuances inconsistent with the provisions of this Act are hereby repealed,
28 amended or modified accordingly,
29

30 **SEC. 29. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
31 in the Official Gazette.
32

33 **Approved,**