

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL -3 19:49

SENATE

RECEIVED BY: 

S.B. No. 648

Introduced by Senator JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The Constitution, Article 2 provides that:

"SECTION 5. The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

Presently, ambulant vendors or peddlers are openly harassed by police authorities, municipal inspectors and also by the Mayor's squads in the different cities and municipalities nationwide. If they are unable to present a Mayor's permit or municipal license or receipts evidencing payment of municipal fees and other charges, they are often arrested and later on, hauled to courts and charged with illegal peddling.

They are always on the run and with their limited income from selling their trade, the same is further limited by the cost of "lagay" or grease money given to local government authorities.

The present market places being provided by the local governments have become too small to answer the daily needs of the continuously growing population. Vendors who cannot be given their own market stalls are forced to sell their wares in the sidewalk and partly in the streets for a fee. The less fortunate vendors are, therefore, forced to become ambulant vendors or peddlers, whose only desire in everyday life is to earn a few pesos over their small principal capital in order to survive the very high cost of living.

We should give these poor and struggling vendors a chance to become worthy and useful citizens of our country.

Considering that this bill intends to give economic assistance to the poor segment of our society, the early approval hereof is, therefore, earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

FOURTEENTH CONGRESS OF THE)
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7 JUL -3 A9:49

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AN ACT
GRANTING PROTECTION AND CERTAIN INCENTIVES TO AMBULANT
VENDORS OR PEDDLERS AND PROVIDING PENALTIES FOR
VIOLATION THEREOF

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

SECTION 1. Short Title. - This Act shall be known as "The Ambulant Vendor's Protection Act".

SEC. 2. Declaration of Policy. - It is hereby declared as a policy of the State to encourage ambulant vending or peddling as an honest means of livelihood on the part of the poor sector of our society.

SEC. 3. Definition of Terms. - As used in this Act, a vendor or peddler shall mean any individual or person who sells any kind of goods, merchandise, commodity or service while walking, moving or traveling about, or who does not have a fixed stall, store or place of vending or service.

SEC. 4. Scope, Capitalization. - This Act shall cover only those ambulant vendors or peddlers whose capitalization does not exceed Ten Thousand Pesos (P10,000.00).

SEC. 5. Exemptions: License Fees, Charges. - Ambulant vendors shall be exempt from securing any license or mayor's permit, or from payment of any municipal or city fees or charges, or any kind of national or local taxes, and from any form of compulsory registration.

SEC 6. Conditions. - Ambulant vendors or peddlers shall be allowed to carry on their trade or business in any public places, streets or roads. *Provided*, however, That they are subject to such reasonable rules and regulations of the municipal or city governments regarding public safety and convenience: *Provided*, finally, That they must at all times practice proper sanitation and hygiene in order not to compromise the safety and health of their clients.

SEC. 7. Penalty Provisions. - Any person found to have violated the right herein granted shall, upon conviction, suffer the penalty of six (6) months imprisonment or a payment of a fine of not less than Five Thousand Pesos (P5,000.00), or both depending upon the discretion of the court.

If the offender is a public officer, in addition to the penalty hereinabove provided, he/she shall be suspended from office for a period of sixty (60) days.

SEC. 8. Repealing Clause. - All laws, rules and regulations, and municipal and city ordinances which may be inconsistent with this Act shall be deemed repealed, amended or modified accordingly.

SEC. 9. Implementing Rules and Regulations. - Department of Social Welfare and Development and the Department of the Interior and Local Government shall issue such rules and regulations to implement effectively the provision of this Act.

SEC. 10. Repealing Clause. - All laws, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 11. Effectivity. - This Act shall take effect fifteen (15) days following its complete publication in two newspapers of general circulation.

Approved,